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THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES

THIRD SESSION OF THE TWENTY-EIGHTH PARLIAMENT
OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

8 EDWARD VII.

VOLUME CXCVIII.

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SIXTEENTH VOLUME OF SESSION.

1908.

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THE PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols. Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

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SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

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Remission of Surcharges (Dublin) Bill.—Presented by Mr. Nannetti; to be read a second time upon Wednesday, and to be printed [Bill 391] ... 98

HOUSE OF COMMONS (ADMISSION OF STRANGERS).—The Select Committee on House of Commons (Admission of Strangers) was nominated of, Mr. Buchanan, Mr. Fenwick, Mr. William Redmond, Mr. Shackleton, Mr. Stuart, Viscount Valentia, and Mr. Stuart-Wortley.

Ordered, That Three be the quorum.—(*Mr. Joseph Pease*) 99

Elementary Education (England and Wales) (No. 2) Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fifeshire, E.) 99

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Asquith.*)

Mr. A. J. Balfour (City of London) 103

Question put, and agreed to.

[No Report.]

Prevention of Crime Bill.—Order read, for resuming adjourned debate [24th November] on Amendment proposed on consideration of the Bill, as amended (in the Standing Committee).

Which Amendment was—

"In page 5, line 6, to leave out Part II. of the Bill."—(*Mr. Atherley-Jones.*)

Question again proposed, "That the words proposed to be left out, to the word 'whether,' in page 5, line 7, stand part of the Bill."

The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 109
Mr. Lyell (Dorsetshire, E.) 110
Mr. Lyttelton (St. George's, Hanover Square) 114
Mr. J. M. Robertson (Northumberland, Tyneside) 115
Mr. A. Dewar (Edinburgh, S.) 117
Mr. Radford (Islington, E.) 119
Mr. Lupton (Lincolnshire, Sleaford) 121
Mr. Atherley-Jones (Durham, N.W.) 122

Amendment, by leave, withdrawn.

Mr. Pickersgill (Bethnal Green, S.W.) 123

Amendment proposed—

"In page 5, line 7, to leave out the word 'whether'—(*Mr. Pickersgill.*)

Question proposed, "That the word 'whether' stand part of the Bill."

Amendment agreed to.

Amendment proposed—

"In page 5, line 7, to leave out the words 'before or.'"—(*Mr. Pickersgill.*)

Amendment agreed to.

Amendment proposed—

"In page 5, line 8, to leave out the first word 'a,' and insert the word 'the.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Pickersgill 123
Mr. Lyell 125

Amendment proposed—

"In page 5, line 9, to leave out the words 'and the Court passes a sentence of penal servitude.'"—(*Mr. Pickersgill.*)

Question proposed, "That the words 'and the Court passes a sentence of' stand part of the clause."

Mr. Adkins (*Lancashire, Middleton*) 126
Mr. Atherley Jones... 127
Mr. Gladstone 129
Mr. Rawlinson (*Cambridge University*) 133
Mr. Byles (*Salford, N.*) 134
Mr. Curran (*Durham, Jarrow*) 135
Sir W. J. Collins (*St. Pancras, W.*) 136
Sir F. Banbury 138
Mr. Dillon (*Mayo, E.*) 139

Question put.

The House divided:—Ayes, 164; Noes, 95. (Division List, No. 433.)

Mr. Lupton 143

Amendment proposed—

"In page 5, line 13, to leave out the word 'further.'"—(*Mr. Lupton.*)

Question proposed, "That the word further stand part of the Bill."

Amendment negatived.

Amendment proposed—

"In page 5, line 15, to leave out the words 'during His Majesty's pleasure,' and to insert the words 'for such period not exceeding ten nor less than five years, as the Court may determine.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Renton (*Lincolnshire, Gainsborough*) 145
Mr. Adkins 146

Amendment proposed—

"In page 5, line 16, to leave out the word 'preventive,' and insert the word 'penal.'"—(*Mr. Renton.*)

Question proposed, "That the word 'preventive' stand part of the Bill."

Mr. Gladstone 146
Sir E. Carson (*Dublin University*) 146

Amendment, by leave, withdrawn.

Mr. Lupton 146
Mr. Gladstone 147

Amendment proposed—

"In page 5, line 24, after the word 'has,' to insert the words 'since attaining the age of sixteen years.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."

Mr. G. Greenwood (*Peterborough*)... 147

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Amendment agreed to.

Amendments proposed—

"In page 5, line 25, to leave out the words 'above referred to,' and to insert the words 'of the crime charged in the said indictment."

"In page 5, line 26, to leave out the word 'such,' and to insert the words 'any such previous.'"

"In page 5, lines 27 and 28, to leave out the words 'for which he was so sentenced,' and to insert the words 'of which he is so charged."

"In page 6, line 10, after the word 'charge,' to insert the words 'and the notice to the offender shall specify the previous convictions and the other grounds upon which it is intended to found the charge.'"

"In page 6, line 22, after the word 'regard,' to insert the words 'to the circumstances of the case and in particular.'"—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. Lupton... 148
Mr. Renton (*Lincolnshire, Gainsborough*) 149

Amendment proposed—

"In page 6, line 24, at the end, to insert, as a new subsection, the words "A person sentenced to preventive detention shall, subject only to the needs of safe custody, be treated rather as a person in a lunatic asylum than as a person undergoing a sentence of penal servitude, and shall be allowed reasonable comforts and relaxations.'"
—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

Mr. Gladstone 149

Amendment negatived.

Sir W. J. Collins 150
Mr. Rawlinson 151

Amendment proposed—

"In page 6, line 26, to leave out the words 'any prison or part of a prison,' and to insert the words 'a place.'"—(*Sir W. J. Collins.*)

Question proposed, "That the words 'any prison' stand part of the Bill."

Mr. Gladstone 151

Amendment negatived.

Mr. Pickersgill 151

Amendment proposed—

"In page 6, line 26, to leave out the words 'or part of a prison.'"
—(*Mr. Pickersgill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 152

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 6, line 36, at end, to insert the words '(3) Persons undergoing preventive detention shall be subjected to such disciplinary and reformative influences, and shall be employed on such work as may be best fitted to make them able and willing to earn an honest livelihood on discharge.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Rawlinson 153

Amendment proposed—

"In page 6, line 37, to leave out subsection (3) of Clause 11."—(*Mr. Rawlinson.*)

Question put, "That the words proposed to be left out, to the word 'with.' in page 6, line 39, stand part of the Bill."

Mr. Gladstone 153
Mr. Adkins 153
Sir W. J. Collins 153

Amendment, by leave, withdrawn.

Mr. Adkins 154

Amendment proposed—

"In page 6, line 39, after the word 'peace,' to insert the words 'and not less than three shall be elected by the county council of the county in which the place of detention is situated.'"—(*Sir W. J. Collins.*)

Question proposed, "That those words be there inserted."

Mr. Gladstone 155
Mr. Lupton 156
Mr. Radford 157
Lord R. Cecil (*Marylebone, E.*) 157

Amendment negatived.

Mr. Pickersgill 157

Amendment proposed—

"In page 6, line 39, after the word 'peace,' to insert the words 'and one at least shall be a woman.'"—(*Mr. Pickersgill.*)

Question proposed, "That those words be there inserted."

Mr. Gladstone 158

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 6, line 40, after the word 'prescribe,' to insert the words 'by such prison rules as aforesaid.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. G. Greenwood 159

Amendment proposed—

"In page 7, line 2, to leave out the word 'three,' and to insert the word 'two.'"—(*Mr. G. Greenwood.*)

Question proposed, "That the word 'three' stand part of the Bill."

Mr. Gladstone 159

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 7, line 12, to leave out from the word 'prison,' to end of line 21."—(*Mr. Gladstone.*)

Amendment agreed to.

Amendment proposed—

"In page 7, line 27, after the word 'Prisons,' to insert the words 'and the Board of Visitors.'"—(*Sir W. J. Collins.*)

Question proposed, "That those words be there inserted.'

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 8, line 38, at the end, to add the words '(5) The time during which a person is absent from prison under such a licence shall be treated as part of the term of preventive detention. Provided that where such person has failed to return on the licence being forfeited or revoked, the time which elapses after his failure so to return shall be excluded in computing the unexpired residue of the term of preventive detention.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Lardner (Monaghan, N.) 160

Amendment proposed—

"In page 10, line 23, to leave out Clause 16."—(*Mr. Lardner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 162
The Attorney General (Sir W. Robson, South Shields) 162
Lord R. Cecil 163
Mr. J. MacVeagh (Down S.) 164

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 11, line 21, to leave out the word 'January,' and insert the word 'August.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

Mr. Belloc 164
Mr. Lyell 168
Mr. Byles 169

Question put.

The House proceeded to a division.

Mr. JOSEPH PEASE and the MASTER OF ELIBANK were appointed tellers for the Ayes, and Mr. BELLOC was appointed teller for the Noes, but no Member being willing to act as the second teller for the Noes, Mr. DEPUTY-SPEAKER declared that the Ayes had it.

Bill read the third time, and passed.

East India Loans Bill.—Order for Second Reading read.

The Under-Secretary of State for India (Mr. Buchanan, Perthshire E.) ... 171

Motion made, and Question proposed, "That the Bill be now read a second time."

Dr. Rutherford (Middlesex, Brentford) 178
Sir Charles W. Dilke (Gloucestershire, Forest of Dean) 183

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Dr. Rutherford.*)

Question proposed, "That the word 'now' stand part of the Question."

Earl Percy (Kensington, S.) 192
Mr. Keir Hardie (Merthyr Tydvil) 193

Mr. Rees (Montgomery Boroughs) 197
Sir Henry Cotton (Nottingham, E.) 197

Mr. BUCHANAN rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 118 ; Noes, 53. (Division List No. 434.)

Question, "That the word 'now' stand part of the Question," put accordingly, and agreed to.

Main Question put, and agreed to.

Bill read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Buchanan.*)

Buxton Charity Bill.—Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease*) 203

Long Ashton Charity Bill.—Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease.*) 203

Abbots Bromley Charity Bill.—Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease*) 204

Elementary Education (England and Wales) Bill.—Order for Committee read, and discharged. Bill withdrawn 204

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twelve minutes after Eleven o'clock.

HOUSE OF LORDS, TUESDAY, 8th DECEMBER, 1908.

PETITION.

Education (Scotland) Bill.—Petition for Amendment of ; read, and ordered to lie on the Table 205

Incest Bill.—Reported from the Standing Committee with Amendments. The Report of Amendments to be received To-morrow ; and Standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. [No. 240] 205

White Phosphorus Matches Prohibition Bill [Second Reading].—Order of the Day for the Second Reading read.

The Lord Steward (Earl Beauchamp) 205

Moved, That the Bill be now read 2^a.—(*Earl Beauchamp.*)

On Question, Bill read 2^a (according to order), and committed to a Committee of the Whole House on Monday next.

THE DECLARATION OF THE SOVEREIGN.

Lord Braye 206
The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe) 208

The Duke of Norfolk 209
The Marquess of Lansdowne 210
Lord Kinnaird 210

REGULAR OFFICERS AND THE TERRITORIAL FORCE.

Lord Haversham 211
The Under-Secretary of State for War (Lord Lucas) 212
Lord Grenfell 214

Statute Law Revision Bill [H.L.].—Amendments reported (according to order), and Bill to be read 3^a To-morrow 214

Prevention of Crime Bill.—Brought from the Commons, read 1^a; to be printed; and to be read 2^a on Thursday next (*The Lord Steward (E. Beauchamp.)*) [No. 241] 214

House adjourned at Ten minutes past Five o'clock, till To-morrow, a quarter-past Four o'clock.

HOUSE OF COMMONS, TUESDAY, 8TH DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Water of Leith Purification and Sewerage Order Confirmation Bill.—Presented by Mr. Sinclair; and ordered (under Section 9 of the Act) to be read a second time upon Wednesday, 16th December, and to be printed. [Bill 397]... 214

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Women's Enfranchisement.—Petition for legislation; to lie upon the Table 215

Women's Enfranchisement Bill.—Petition, in favour; to lie upon the Table 215

RETURNS, REPORTS, &c.

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table 215

Fair Wages Committee.—Report of the Fair Wages Committee, with Appendices and Minutes of Evidence; to lie upon the Table 216

Nationality and Naturalisation (Miscellaneous, No. 9, 1908).—Despatch from His Majesty's Chargé d'Affaires at Rio de Janeiro, inclosing a Translation of Decrees regulating the Naturalisation of Aliens in Brazil: to lie upon the Table 216

Paupers and Dependants (Scotland).—Return ordered 216

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Old-Age Pensions and Medical Relief 256

Local Government (Scotland) Bill.—Reported, with Amendments, from the Standing Committee on Scottish Bills.

Report to lie upon the Table, and to be printed. [No. 352.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 352.]

Bill, as amended, (in the Standing Committee), to be taken into consideration To-morrow, and to be printed. [Bill 392] 257

Police Forces (Weekly Rest Day).—Report from the Select Committee brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 353.]

Minutes of Proceedings to be printed. [No. 353] 257

Police (Weekly Holiday) Bill.—Reported, without Amendment, from the Select Committee on Police Forces (Weekly Rest Day).

Report to lie upon the Table, and to be printed. [No. 354] 257

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the Table 257

MESSAGE FROM THE LORDS.—That they have agreed to: Law of Distress Amendment Bill, with Amendments 258

Trusts Bill.—Reported, without Amendment, from the Select Committee, with Second Special Report.

Report and Special Report to lie upon the Table, and to be printed. [No. 355.]

Minutes of Proceedings to be printed. [No. 355] 258

NEW BILLS.

Diseases of Animals Bill.—Presented by Mr. George Greenwood; to be read a second time upon Tuesday next, and to be printed. [Bill 393] 258

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—Presented by Mr. Sydney Buxton; to be read a second time To-morrow, and to be printed. [Bill 394] 258

Education (Administrative Provisions) Bill.—Presented by Mr. Ramsay Macdonald; to be read a second time upon Monday next, and to be printed. [Bill 395] 258

Hops Bill.—Presented by Mr. Chancellor of the Exchequer; to be read a second time To-morrow; and to be printed. [Bill 396] 259

UNEMPLOYED WORKMEN ACT (1905), AMENDMENT (No. 2).
Mr. Keir Hardie (*Merthyr Tydvil*) 259

Motion made, and Question proposed, "That leave be given to bring in a Bill to amend the Unemployed Workmen Act, 1905."—(*Mr. Keir Hardie.*)

Sir F. Banbury (*City of London*) 261

Question put, and agreed to.

Bill ordered to be brought in by Mr. Keir Hardie, Mr. Arthur Henderson, Mr. Barnes, Mr. Ramsay Macdonald, Mr. George Roberts, Mr. Charles Duncan, Mr. Curran, Mr. Jowett, Mr. Summerbell, and Mr. Tyson Wilson.

Unemployed Workmen Act (1905) Amendment (No 2) Bill.—"To amend the Unemployed Workmen Act, 1905," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 398.]

Business of the House (Irish Land Bill). Motion made, and Question put, "That the Proceedings on the Irish Land Bill, if under discussion at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Mr. Asquith.*)

The House divided :—Ayes, 281 ; Noes, 62. (Division List No. 435) ... 262

Irish Land Bill.—Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Wyndham (Dover) 265

Amendment proposed—

"To leave out all the words after the word 'That,' to the end of the Question, in order to add the words 'this House, while willing to consider favourably proposals for expediting land purchase in Ireland and for relieving the ratepayers of their contingent liabilities for losses due on the flotation of Irish Land Stock, declines to proceed with a Bill which throws fresh obstacles in the way of the sale of holdings to their occupiers and which increases the responsibilities already undertaken by the British Exchequer without conferring any corresponding benefit either on the tenant or owner of Irish land."—(*Mr. Wyndham.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. John Redmond (Waterford) 283
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Mr. Harold Cox (Preston) 304
Mr. Lonsdale (Armagh, Mid.) 310
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The Earl of Kerry (Derbyshire, W.) 350
Mr. Dillon (Mayo, E.) 356
Mr. James Campbell (Dublin University) 363
The Chief Secretary for Ireland (Mr. Birrell, Bristol, N.) 378

Question put.

The House divided :—Ayes, 233 ; Noes, 62 (Division List No. 436).

Main Question put and agreed to.

Bill read a second time.

Bill committed to a Committee of the whole House for this day.—(*Mr. Birrell.*)

Buxton Charity Bill.—Considered in Committee.

(In the Committee.)

Committee report Progress ; to sit again this day 395

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at a quarter before One o'clock.

HOUSE OF LORDS: WEDNESDAY, 9TH DECEMBER, 1908.

PETITION.

Education (Scotland) Bill.—Petition for Amendment of; read, and ordered to lie on the Table 397

RETURNS, REPORTS, ETC.

Miscellaneous, No. 9 (1908) (Nationality and Neutralisation).—Despatch from his Majesty's Chargé d'Affaires at Rio de Janeiro inclosing a translation of decrees regulating the naturalisation of aliens in Brazil 397

Fair Wages.—Report of the Fair Wages Committee, with appendices and minutes of evidence 397

Judicial Statistics (England and Wales) 1907; (Part II.); Civil Statistics).—Statistics relating to the Judicial Committee of the Privy Council, the House of Lords, the Supreme Court of Judicature, County Courts and other Civil Courts.
Presented, and ordered to lie on the Table 397

Census of Production Act, 1906.—Rules made by the Board of Trade, CXCV.—CCII.... 397

Incest Bill.—Amendments reported (according to order). Then Standing Order No. XXXIX., considered (according to order), and dispensed with. Bill read 3ª with the Amendments, and passed, and returned to the Commons 397

RICHMOND ALLOTMENTS.

Lord Reay 397
The President of the Board of Agriculture and Fisheries (*Earl Carrington*) 398

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The Marquess of Lansdowne 398
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*) 398
Lord Newton 399
Lord Avebury 399

Local Authorities (Admission of the Press) Bill.—Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Donoughmore.*)

On Question, Bill read 3ª.

Drafting Amendments agreed to.

Moved, "That the Bill do now pass."—(*The Earl of Donoughmore.*)

The Earl of Camperdown 400

Amendment moved—

"To leave out the word 'now' in order to insert the words 'this day three months.'"—(*The Earl of Camperdown.*)

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Lord Allendale 408
The Marquess of Lansdowne 409

On Question, Amendment negatived.

Bill passed, and returned to the Commons.

Education (Scotland) Bill.—Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Lord Herschell.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 and 2 agreed to.

Clause 3:

Lord Saltoun 410

Amendment moved—

"In page 1, lines 21 and 22, to leave out the words 'and service.'"—(*Lord Saltoun.*)

Lord Herschell 411

Amendment, by leave, withdrawn.

The Duke of Norfolk 411

Amendment moved—

"In page 1, line 26, after the word 'provided' to insert the words 'Provided also that in the exercise of their powers under this subsection, a school board shall not give any undue preference to pupils attending schools under their control over pupils attending State-aided schools within their district.'"—(*The Duke of Norfolk.*)

Lord Herschell 412

Amendment, by leave, withdrawn.

Lord Saltoun 412

Amendment moved—

"In page 2, line 2, after the word 'district,' to insert the words 'distant not less than three miles from a school.'"—(*Lord Saltoun.*)

Lord Herschell 412

Amendment, by leave, withdrawn.

The Duke of Norfolk 413

Amendment moved—

"In page 2, line 9, after the word 'otherwise,' to insert the words 'Provided that in the exercise of their powers under this subsection, a school board shall not give any undue preference to pupils attending schools under their control over pupils attending State-aided schools within their district."—(*The Duke of Norfolk.*)

Lord Balfour of Burleigh 413
The Earl of Crewe 414

Amendment, by leave, withdrawn.

Clause 3, agreed to.

Clause 4:

The Earl of Camperdown 414
Lord Balfour of Burleigh 415
Lord Belper 416

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The Chancellor of the Duchy (Lord Fitzmaurice) 416

Clause 4 agreed to.

Clauses 5 to 7 agreed to.

Clause 8 :

Lord Balfour of Burleigh 417

Amendment moved—

"In page 5, line 11, to leave out the words 'or some person on his behalf.'"—(*Lord Balfour of Burleigh.*)

Lord Herschell 418

Amendment, by leave, withdrawn.

Clause 8 agreed to.

Clause 9 :

Lord Balfour of Burleigh 419

Amendment moved—

"In page 6, line 4, to leave out the word 'sixteen' and to insert the word 'fifteen."—(*Lord Balfour of Burleigh.*)

Lord Herschell 419

Amendment, by leave, withdrawn.

Clause 9 agreed to.

Clause 10 :

The Earl of Camperdown... 420

Amendment moved—

"In page 7, lines 7 to 22, to leave out subsection (3)."—(*The Earl of Camperdown.*)

Lord Herschell 421

Lord Balfour of Burleigh 422

Lord Reay 423

Lord Avebury 423

The Earl of Camperdown 424

Drafting Amendment agreed to.

Clause 16, as amended, agreed to.

Clause 17 :

Lord Herschell 424

Amendment moved—

"In page 16, line 2, after the word 'rate,' to insert the words 'Provided that in the case of pupils residing temporarily with the said school board district for the purposes of their education, no payment shall be made under this subsection from the district education fund of any district other than that of which the school board district forms a part, except in respect of pupils receiving aid under or in conformity with the general scheme of bursaries for the district in which their parents or guardians are ordinary resident to be framed as hereinafter provided.'"—(*Lord Herschell.*)

The Earl of Camperdown 425

On Question, Amendment agreed to.

Lord Herschell 425

Amendment moved—

"In page 16, line 41, after the word 'reasonable,' to insert the words 'and provided also that in lieu of the deduction of income from all sources other than from school rate therein referred to there shall be deducted all income from grants made by the Department and from fees.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Clause 17, as amended, agreed to.

Clause 18:

Lord Herschell 425

Amendment moved—

"In page 20, line 1, after the word 'defray,' to insert the words 'as nearly as may be,' and in line 2, after the word 'for,' to insert the words 'provided that a deficit occurring in any year, notwithstanding such adjustment may, with the approval of the Department, be paid out of the district education fund or funds.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 21 agreed to.

Clause 22:

Lord Saltoun 426

Amendment moved—

"In page 21, line 28, after the word 'district,' to insert the words 'or part of a district.'"—(*Lord Saltoun.*)

On Question, Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23:

Lord Balfour of Burleigh 426

Amendment moved—

"In page 24, line 2, after the word 'the,' to insert the words 'accountant of the'; in line 4, after the word 'and,' to insert the words 'surcharge the same on the person or persons making or authorising them and'; in page 24, line 6, to leave out from the word 'and' to the end of the subsection, and after the word 'account' to insert the following new paragraphs: 'Provided that any person aggrieved by such disallowance and surcharge may, within the time and in accordance with the conditions prescribed by Act of Sederunt, appeal against the same to either division of the Court of Session, who shall hear and determine such appeal, or in lieu thereof any person so aggrieved may, within fourteen days of receipt of notice of such disallowance and surcharge, appeal to the Secretary for Scotland, who shall have power, after considering the whole matter, to sustain or reject the said appeal; (*f*) if the Secretary for Scotland shall be of opinion that, although a disallowance or surcharge might be lawfully made, the subject-matter thereof was incurred under such circumstances as to make it fair and equitable that the disallowance or surcharge should not be made, he may on application authorise the accountant of the Department to abstain from making the same; (*g*) every sum determined by the accountant of the Department under this Act to be due from any person shall be paid by such person to the

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school board within fourteen days after such determination has been intimated to him, or, as the case may be, after the disposal of an appeal, and if such sum is not so paid it shall be the duty of the accountant of the Department to recover the same, and the school board shall reimburse him for his expenses, including a reasonable allowance for his time in so far as not recovered from the person surcharged.'"—(*Lord Balfour of Burleigh.*)

Lord Herschell 429
Lord Balfour of Burleigh 430
Lord Zouche of Haryngworth 431
Lord Welby 431

On Question, Amendment agreed to.

Lord Balfour of Burleigh 431

Consequential Amendment agreed to.

Lord Herschell 431

Amendment moved—

"In page 25, line 41, after the word 'duties' to insert the following new subsection:—'(5) Nothing in this section contained shall affect the accounts of a school board or other managers for the year ending the fifteenth of May, in the year nineteen hundred and nine, or the audit of such accounts, and such accounts shall be kept, audited and otherwise dealt with as if this Act had not passed.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause 23, as amended, agreed to.

Clauses 24 to 26 agreed to.

Clause 27:

The Duke of Norfolk 432

Amendment moved—

"In page 26, line 36, to page 27, line 4, to leave out subsection (1)"—(*The Duke of Norfolk.*)

Lord Herschell 432
Lord Balfour of Burleigh 433

Amendment, by leave, withdrawn.

Lord Balfour of Burleigh 433

Amendment moved—

"In page 27, line 8, after the word 'therein,' to insert the following new subsection: (3) At every election for a school board, every voter may give his vote for one candidate only, but he may also indicate by the figures two, three, and so on, his second and further preferences among the candidates. If without taking account of the second or other preference the number of votes given to any candidate amounts to or exceeds a number (hereinafter called 'the quota') ascertained by dividing the total number of votes given to all the candidates by a number one more than the number of seats to be filled, that candidate shall be declared elected. If he has more than the quota, a number of votes equal to his surplus shall be distributed among the other candidates not already elected in proportion to the next preferences indicated by the voters who voted for him, and any candidate obtaining the quota or more by adding to his original votes the votes obtained by him on such distribution shall be declared elected. When, in this way, no candidate has any surplus, the candidate having fewest votes shall be struck out, and the votes cast for him shall be distributed in the same way, and so on until all the candidates in excess of the number of seats to be filled shall have been struck out. The remaining candidates shall then be declared elected. The foregoing provisions shall be carried into effect by returning officers in such manner and under such regulations as to recounting votes and otherwise as may be prescribed by the Scottish Education Department."—(*Lord Balfour of Burleigh.*)

Lord Stanley of Alderley 435
Lord Avebury 435
Lord Herschell 435
Lord Courtney of Penwith 436
Lord Reay 437
The Earl of Crewe 437
The Marquess of Lansdowne 439
Lord Balfour of Burleigh 440
Lord Fitzmaurice 440

Amendment, by leave, withdrawn.

Drafting Amendment agreed to.

Lord Saltoun 440

Amendment moved—

"In page 27, line 9, after the word 'board' to insert the words 'or on the petition of not less than ten ratepayers."—(*Lord Saltoun.*)

On Question, Amendment agreed to.

The Duke of Norfolk 441

Amendment moved—

"In page 27, lines 9 to 14, to leave out subsection (3)."—(*The Duke of Norfolk.*)

Lord Herschell 441

Amendment, by leave, withdrawn.

Clause 27, as amended, agreed to.

Clauses 28 and 29 agreed to.

Clause 30 :

Lord Balfour of Burleigh 441

Clause 30 agreed to.

Remaining clauses agreed to.

Standing Committee negatived; Bill to be printed as amended. (No. 242.)

Statute Law Revision Bill [H.L.]—Read 3ª (according to order), and passed and sent to the Commons 442

Edinburgh and Leith Corporation Gas Order Confirmation Bill [H.L.]—Presented by the Lord Herschell (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, sections 8 and 9); read 1ª; and to be printed. (No. 243.) 442

House adjourned at half-past Seven o'clock, till To-morrow, a quarter past Three o'clock.

HOUSE OF COMMONS, WEDNESDAY, 9TH DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

North British Railway Order Confirmation Bill [By Order].—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. C. E. Price (Edinburgh, Central) 443

Motion made and Question, "That the debate be now adjourned,"——(*Mr. Smeaton*)—put, and agreed to.

Debate to be resumed upon Monday next, at a quarter past Eight of the Clock.

PETITIONS.

Enfranchisement of Women.—Petition for legislation ; to lie upon the Table. 443

Local Government (Scotland) Bill.—Petition for alteration ; to lie upon the Table. 443

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Judicial Statistics (England and Wales).—Judicial Statistics for England and Wales, 1907. Part II. ; to lie upon the Table. 444

Land Purchase Prices (Ireland.)—Return presented, relative thereto ; to lie upon the Table, and to be printed. [No. 356.]

Return presented, relative thereto ; to lie upon the Table, and to be printed. [No. 357.] 444

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Remission of Surcharges (Dublin) Bill.—Ordered, That the Examiners of Petitions for Private Bills do examine the Remission of Surcharges (Dublin) Bill, with respect to compliance with the Standing Orders relative to Private Bills—(*Mr. Nannetti*) 482

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the Table 482

Law of Distress Amendment Bill.—Lords' Amendments to be considered upon Monday next, and to be printed. [Bill 399] 482

MESSAGE FROM THE LORDS.—That they have agreed to—Incest Bill with Amendments.

BUSINESS OF THE HOUSE.

The Prime Minister and First Lord of the Treasury (*Mr. Asquith, Fifeshire, E.*) 482

Motion made and Question proposed, "That for the remainder of the session, Government Business be not interrupted under the provisions of any Standing Order regulating the Sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11."—(*Mr. Asquith.*)

Mr. A. J. Balfour (*City of London*) 488
Mr. John Redmond (*Waterford*) 494
Mr. Keir Hardie (*Merthyr Tydvil*) 495
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Lord R. Cecil (*Marylebone, E.*) 499
Sir George McCrae (*Edinburgh, E.*) 502
Sir F. Banbury (*City of London*) 503
Mr. Corrie Grant (*Warwickshire, Rugby*) 505
Mr. Morton (*Sutherland*) 508
Mr. Asquith 510

Question put.

The House divided:—Ayes, 318; Noes, 76. (Division List No. 437.)

Coal Mines (Eight Hours) (No. 2) Bill.—As amended (in the Standing Committee), considered.

Viscount Castlereagh (*Maidstone*) 517
Mr. Laurence Hardy (*Kent, Ashford*) 524

Amendment proposed to the Bill—

"In page 1, line 5, to leave out Clause 1."—(*Viscount Castlereagh.*)

Question proposed, "That the words proposed to be left out, to the word 'for,' in page 1, line 6, stand part of the Bill."

Mr. Brace (*Glamorganshire, S.*) 527
Mr. A. J. Balfour (*City of London*) 532
The Secretary of State for the Home Department (*Mr. Gladstone, Leeds, W.*) 537
Sir Robert Ropner (*Stockton*) 546
Mr. Keir Hardie (*Merthyr Tydvil*) 551
Mr. Ridsdale (*Brighton*) 557
Mr. Bowles (*Lambeth, Norwood*) 560
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Mr. Dunn (Cornwall, Camborne) ... 574
Sir Philip Magnus (London University) ... 577
Mr. Lupton (Lincolnshire, Sleaford) ... 584
Mr. Bonar Law (Camberwell, Dulwich) ... 589
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) ... 597

Mr. GLADSTONE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 266 ; Noes, 74. (Division List No. 438.)

Question put accordingly, "That the words proposed to be left out, to the word 'for,' in page 1, line 6, stand part of the Bill."

The House divided :—Ayes 267 ; Noes, 74. (Division List No. 439.)

Motion made, and Question, "That further consideration of the Bill as amended, be now adjourned."—(*Mr. Gladstone.*)—put and agreed to.

Bill, as amended (in the Standing Committee), to be further considered To-morrow.

Port of London Bill.—As amended, considered.

Mr. Steadman (Finsbury, Central) ... 608
Mr. Morton (Sutherland) ... 608
The President of the Board of Trade (Mr. Churchill, Dundee) ... 608

New clause—

"As from the appointed day, and unless and until a Provisional Order under Section 577 of the Merchant Shipping Act, 1894, dealing with the matter is made and confirmed, a shipowners' representative on the Pilotage Committee of the Trinity House shall, instead of being elected in the manner provided by the Order scheduled to the Pilotage Order Confirmation Act, 1896, be appointed by the Board of Trade after consultation with the General Shipowners' Society of London, and such other persons or bodies having knowledge or experience of shipping in the Port of London as the Board think fit, and the Order scheduled to the Pilotage Order Confirmation Act, 1896, shall be read accordingly as though references to such an appointment were substituted for references to elections by shipowners."—(*Mr. Churchill.*)

Brought in, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Lord R. Cecil (Marylebone, E.) ... 609
Mr. Churchill ... 609
Mr. Harmood-Banner (Liverpool, Everton) ... 610

Question put and agreed to.

Clause added to the Bill.

New clause—

"In page 33, after Clause 34, to insert the following clause :— 'All minute books, books of account, vouchers, maps, plans, and other documents transferred by this Act from the Conservators or the Watermen's Company to the Port Authority shall at all reasonable times be open to the inspection, free of charge, of the Conservators or the Watermen's Company, as the case may be, and all minute books, books of account, vouchers, maps, plans, and other documents belonging to the Conservators or the Watermen's Company and not so transferred shall at all reasonable times be open to the inspection, free of charge, of the Port Authority, and if any question arises as to whether any such documents are to be transferred to the Port Authority, the question shall be decided by the Board of Trade.' "—(*Mr. Churchill.*)

Brought up, and read a first and second time, and added to the Bill.

Mr. Morton 611

New clause—

"The following accounts shall be kept separately by the Port Authority in addition to any other accounts which are by this Act prescribed to be kept as separate accounts, that is to say :—(1) An account (to be called the Docks Capital Account) showing ; (*a*) The amount of Port Stock created and issued in substitution for the existing stocks of the dock companies ; (*b*) the amount of money expended by the Port Authority on capital account in improving the docks, basins, cuts, and entrances by this Act transferred to the Port Authority or in constructing and equipping new docks, basins, cuts entrances, and other works or otherwise on capital account in improving the Port of London. (2) An account (to be called the Dock Revenue Account) : (*a*) Of all sums received in respect of vessels entering, lying in, departing from, or otherwise using the docks, basins, cuts, or entrances from time to time vested in the Port Authority, other than the duties of tonnage prescribed in Section 155 of the Thames Conservancy Act 1894, as amended by Section 7 of the Thames Conservancy Act, 1905, and by this Act and in respect of all goods imported into or exported from such docks, basins, cuts, and entrances, and in respect of services rendered or accommodation provided by the Port Authority within the same and of all other revenue received by the Port Authority in respect thereof (to be called dock receipts) ; (*b*) of all sums expended in respect of the maintenance, management, and improvement of the Port of London, including all sums paid by way of interests on or redemption of money expended on Dock Capital Account (to be called dock expenditure). (3) An account (to be called the River Capital Account) showing : (*a*) The amount of Port Stock created and issued under this Act in substitution for Thames Conservancy Redeemable " A " Debenture Stock ; (*b*) such amount of the money expended by the Port Authority on capital account as, in the opinion of the auditor of the Port Authority is capital expenditure necessitated by the requirements of persons and vessels not using the said docks, basins, cuts, and entrances of the Port Authority. (4) An account (to be called the River Revenue Account : (*a*) of all sums received from the said duties of tonnage and in respect of all vessels, goods, services, and accommodation, other than the vessels, goods, services, and accommodation referred to in subsection (2) (*a*) of this section, and of all other revenue received by the Port Authority (to be called river receipts) ; (*b*) of all sums paid : (1) By way of interest on or redemption of money expended on River Capital Account ; (2) such proportion of the expenditure referred to in subsection (2) (*b*) of this section as, in the opinion of the auditor of the Port Authority, is expenditure necessitated by the requirements of persons and vessels not using the said docks, basins, cuts, and entrances of the Port Authority (to be called river expenditure)."—

Brought up, and read the first time.

Motion made, and Question proposed, " That the clause be read a second time."

Mr. Churchill 614
Mr. Morton 615

Motion and Clause, by leave, withdrawn.

Amendment proposed—

"In page 2, line 2, to leave out the word 'ten' and to insert the word 'eleven.'"—(*Mr. Walter Guinness.*)

Question, "That the word 'ten' stand part of the Bill," put, and agreed to.

Mr. Churchill ... 616
Lord R. Cecil ... 617
Mr. Crooks (Woolwich) ... 618
Mr. Rowlands (Kent, Dartford) ... 618
Mr. Bowles ... 618
Mr. Carr-Gomm (Southwark, Rotherhithe) ... 619
Mr. Morton ... 620

Amendment negatived.

Mr. Steadman ... 620

Amendment proposed—

"In page 2, line 3, to leave out the words 'Admiralty 1, by the Board of Trade 2,' and insert the words 'West Ham Borough Council 1, by the Essex County Council 1, by the Kent County Council 1.'"—(*Mr. Steadman.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Churchill ... 622

Amendment negatived.

Mr. Radford (Islington, E.) ... 625
Mr. Morton ... 625

Amendment proposed—

"In page 3, line 31, to leave out Clause 3."—(*Mr. Radford.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Bonar Law ... 629
Mr. Churchill ... 629

Amendment negatived—

Lord R. Cecil ... 630

Amendment proposed—

"In page 5, line 28, to leave out Clause 6."—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Bowles ... 631
Mr. Churchill ... 632

Amendment negatived.

Mr. Joynson-Hicks (Manchester, N.W.) ... 633
Mr. Morrell ... 634

Amendment proposed—

"In page 12, line 3, at the beginning, to insert the words 'properly to regulate the flow of water over or through the weirs before or during flood-time or.'"—(*Mr. Joynson-Hicks.*)

Question proposed, "That those words be there inserted in the Bill."

The Parliamentary Secretary to the Board of Trade (Sir H. Kearley, Devonport) ... 636
Mr. Morton ... 637

Amendment, by leave, withdrawn

Mr. Churchill 637

Amendment proposed—

"In page 18, line 22, to leave out from the word 'charge,' to the end of line 27, and insert the words 'lower port rates in respect of goods to be discharged from a vessel in a dock of the Port Authority, or to be landed on the premises of or warehoused with the Port Authority, by reason only that the goods are to be so discharged, landed, or warehoused."—(*Mr. Churchill.*)

Amendment agreed to.

Mr. Renwick 638
Mr. Churchill 638
Mr. Renwick 639

Amendment proposed—

"In page 18, line 34, after the word 'only,' to insert the words 'dues on goods imported coastwise or exported coastwise shall in no case exceed one-fourth of the rate or dues charged on goods exported to or imported from places beyond the seas.'"—(*Mr. Renwick.*)

Question proposed, "That those words be there inserted."

Sir C. J. Cory 639
Mr. Churchill 640
Mr. Bonar Law 640
Mr. Claude Hay 641
Mr. Churchill 641
Mr. Joynson-Hicks 642
Mr. Holt (Northumberland, Hexham) 642
Sir H. Kearley 643
Mr Bowles 644

Question put.

The House divided:—Ayes, 11; Noes, 90. (Division List No. 440.)

Mr. Lough 647

Amendment proposed—

"In page 19, line 10, to leave out subsection (3) of Clause 13." —(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out, to the second word 'from' in page 19, line 12, stand part of the Bill."

Mr. Claude Hay 648
Mr. Renwick 649

Amendment, by leave, withdrawn.

Mr. Churchill 649

Amendment proposed—

"In page 19, lines 12 and 13, to leave out the words 'from and to parts beyond the seas.'"—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Renwick 650
Sir C. J. Cory 651

Amendment agreed to.

Amendments proposed—

"In page 19, line 14, after the word 'London,' to insert the words 'from and to other parts beyond the seas.'"

"In page 19, line 15, to leave out the words 'those years,' and to insert the words 'the year.'"—(*Mr. Churchill.*)

"In page 19, line 35, after the word 'owner' to insert the words 'or consignee.'"—(*Sir H. Kearley.*)

Amendments agreed to.

Mr. Churchill 652

Amendment proposed—

"In page 19, line 37, at end, to insert the words 'and such Provisional Order may authorise the making of special arrangements respecting the time and method of payment of Port rates on goods by any persons who at frequent intervals become liable to pay those rates, whether on their own account or on account of any other persons.'" —(*Mr. Churchill.*)

Amendment agreed to.

Mr. Churchill 653

Amendment proposed—

"In page 20, line 19, after the word 'by' to insert the word 'under.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendment proposed—

"In page 20, line 27, to leave out the words 'apply not only,' and to insert the words 'continue to apply.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendment proposed—

"In page 20, lines 29 and 30, to leave out the words 'of that company transferred to the Port Authority by this Act, but also,' and insert the words 'and shall also apply.'"—(*Mr. Churchill.*)

Amendment agreed to.

Mr. Churchill 653
Mr. Bowles 653
Mr. Claude Hay 654

Amendment agreed to.

Mr. Morton 654

Amendments proposed—

"In page 23, line 41, after the word 'by,' to insert the words 'an Order of.'"

"In page 24, line 2, after the second word 'time,' to insert the words 'by order.'"—(*Mr. Churchill.*)

Amendments agreed to.

Amendment proposed—

"In page 27, line 7, to insert the words 'In prescribing the form of accounts the Board of Trade shall have regard to the desirability of showing separately so far as practicable such items of receipt and expenditure on capital and revenue accounts as are wholly or mainly attributable to the dock undertakings of the Port Authority.'"—(*Mr. Churchill.*)

Amendment agreed to.

Mr. Churchill 655

Amendment proposed—

"In page 30, lines 17 and 18, to leave out the words 'with the consent of the Board of Trade.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendments proposed—

"In page 34, line 21, after the word 'secretary,' to insert the words 'or assistant secretary.'"

"In page 34, line 25, after the word 'secretary,' to insert the words 'or assistant secretary.'"—*Mr. Churchill.*

Amendments agreed to.

Mr. Walter Guinness 656

Amendment proposed—

"In page 34, line 37, after the word 'Bill,' to insert the word 'Order.'"—(*Mr. Walter Guinness.*)

Question proposed, "That the word 'order' be there inserted."

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 36, line 12, after the second word 'of,' to insert the words 'or under the control of.'"—(*Mr. Churchill.*)

Amendment agreed to.

Mr. Churchill 657

Amendment proposed—

"In page 42, line 26, after the word 'eight,' to insert the words 'or, in the case of the Surrey Commercial Dock Company, for the last nine months of that year.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendments proposed—

"In page 42, line 28, after the word 'year,' to insert the words 'or those nine months.'"

"In page 42, line 28, after the word 'year's,' to insert the words 'or nine months.'"—(*Mr. Churchill.*)

Amendments agreed to.

Mr. Radford 657

Amendment proposed—

"In page 45, line 23, to leave out Clause 58."—(*Mr. Radford.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Churchill 658
Mr. Joynson-Hicks 658
Mr. H. C. Lea (St. Pancras, E.) 659

Amendment negatived.

Amendments proposed—

"In page 48, line 24, after the word 'company,' to insert the words 'such of.'"

"In page 48, line 28, after the word 'three,' to insert the words 'as determine the rights of those officers in the event of the undertaking of the company being purchased in pursuance of any statutory

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power (except in the case of the two first mentioned agreements the provisions of Clause 6 of those agreements.' "—(*Mr. Churchill.*)

Amendments agreed to.

Amendment proposed—

"In page 48, line 29, after the word 'section,' to insert the words 'both as to the conditions of employment (if the Port Authority elect to employ them) and compensation, and as respects the said provisions of those agreements the Port Authority shall, except as aforesaid, be subject to the exclusion of the company, to all the duties, liabilities, and obligations of the company under those agreements in like manner as if they were the company.' "—(*Mr. Churchill.*)

Mr. Morton 659

Amendment proposed—

"In page 53, line 6, at end, to insert the words 'All the meetings of the Port Authority shall be open to the public unless otherwise determined by the majority of the members present and voting on that question.' "—(*Mr. Morton.*)

Question proposed, "That those words be there inserted."

Mr. Churchill 661

Amendments proposed—

"In page 54, line 26, to leave out the word 'June,' and to insert the word 'April.' "

"In page 54, line 33, to leave out the word 'June' and to insert the word 'April.' "

"In page 54, line 33, to leave out the word 'twelve,' and to insert the word 'thirteen.' "

"In page 54, line 34, to leave out the word 'June,' and to insert the word 'April.' "—(*Mr. Churchill.*)

Amendments agreed to.

Amendment proposed—

"In page 58, line 30, to leave out the word 'prescribed,' and to insert the words 'set forth in a Provisional Order to be made by the Board of Trade.' "—(*Mr. Walter Guinness.*)

Amendment agreed to.

Mr. Churchill 661

Motion made, and Question proposed, "That the Bill be now read a third time."

Mr. Morton 661
Mr. Claude Hay 662
Mr. Joynson-Hicks 662

Question put, and agreed to.

Bill read the third time and passed.

Housing, Town Planning, Etc., Bill.—Order for consideration, as amended (in the Standing Committee), read, and discharged. Bill withdrawn ... 662

Hops Bill.—Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Holt 663

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Holt.*)

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The Chancellor of the Exchequer (Mr. Lloyd-George, Carnarvon Boroughs) 663
Mr. Leif Jones (Westmoreland, Appleby) 663
Sir W. J. Collins (St. Pancras, W.) 664
The Parliamentary Secretary to the Treasury (Mr. J. A. Pease, Essex, Saffron Walden) 664

Question put, and negatived.

Original Question again proposed.

Mr. Leif Jones 665
Mr. Dundas White (Dumbartonshire) 667

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr Leif Jones.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir W. J. Collins 668
Mr. Bennett (Oxfordshire, Woodstock) 668

Amendment negatived.

Main Question put, and agreed to.

Bill read a second time.

Bill committed to a Committee of the Whole House for this day.—(*Mr. Lloyd-George.*)

Irish Land Bill.—Order for Committee read, and discharged.

Bill withdrawn 669

Trawling in Prohibited Areas Prevention Bill—Order for Second Reading read, and discharged.

Bill withdrawn 669

Contempts of Court Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 669

County Courts Bill [LORDS].—Order for Second Reading read, and discharged.

Bill withdrawn 670

Local Government (Ireland) Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 670

Licensing (Consolidation) Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 670

Election of Aldermen in Municipal Boroughs Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 670

London Paving Expenses Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 670

Building Operations and Engineering Works Bill.—Order for Second Reading read, and discharged.

Bill withdrawn 670

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Bail Bill.—Order for Second Reading read, and discharged.
Bill withdrawn 670

Buxton Charity Bill.—Considered in Committee.
(In the Committee).
Clause 1:
Mr. Claude Hay 670
Mr. Soares 670
Clause agreed to.
Clauses 2 and 3 were added to the Bill.
Schedule:
Mr. Claude Hay 671
Mr. Soares 671
Schedule agreed to.
Bill reported, without Amendment; read the third time, and passed.

Long Ashton Charity Bill.—Considered in Committee, and reported without Amendment; read the third time and passed... 671

Abbots Bromley Charity Bill.—Considered in Committee.
(In the Committee).
Clause 1:
Mr. Claude Hay 672
Mr. Soares 672
Clause agreed to.
Bill reported, without Amendment; read the third time and passed.

Post Office Savings Bank (Public Trustee Bill).—Order for Second Reading read, and discharged.
Bill withdrawn 672

Whereupon Mr. DEPUTY SPEAKER in pursuance of the Order of the House of 31st July adjourned the House without Question put.

Adjourned at Twenty-nine minutes after Three o'clock, a.m.

HOUSE OF LORDS: THURSDAY, 10TH DECEMBER, 1908.

PETITIONS.

Education (Scotland) Bill.—Petition for amendment of; read, and ordered to lie on the Table 673

Port of London Bill.—Petition to be heard against; by Counsel of the Conservators of the River Thames; read and ordered to lie on the Table ... 673

RETURNS, REPORTS, ETC.

Treaty Series, No. 32 (1908).—Procès-Verbal between the United Kingdom and Bulgaria, respecting customs duties 673

Evicted Tenants (Ireland) Act, 1907.—Return giving particulars of cases in which persons have been re-instated with the assistance of the Estates Commissioners, during the quarter ended 30th September, 1908.
Presented, and ordered to lie on the Table 673

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Port of London Bill.—Brought from the Commons, and read 1^{a}; to be printed; and to be read 2^{a} on Monday next.—(*The Lord Hamilton of Dalzell*). (No. 244). 673

Buxton Charity Bill (No. 245); **Long Ashton Charity Bill** (No. 246); **Abbots Bromley Charity Bill** (No. 247).—Brought from the Commons, and read 1^{a}; to be printed; and to be read 2^{a} on Monday next.—(*The Lord Denman*) 673

BUSINESS OF THE HOUSE.

Lord Clinton 673
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*) 674
The Marquess of Lansdowne 674

Local Registration of Title (Ireland) Amendment Bill.—Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Lord Atkinson*).

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

Lord Atkinson 675

Amendment moved—

"In page 1, line 8, after the word 'it,' to insert the words 'on or before the 1st day of March, 1908.'"—(*Lord Atkinson.*)

On Question, Amendment agreed to.

Clause 1, as amended, agreed to.

Remaining Clauses agreed to.

Standing Committee negatived; The Report of amendment to be received on Tuesday next, and Standing Order No. XXXIX. to be considered in order to its being dispensed with: Bill to be printed as amended. (No. 284.)

Agricultural Holdings (Scotland) Bill [H.L.]. [SECOND READING.]—Order of the Day for the Second Reading read.

The President of the Board of Agriculture and Fisheries (*Earl Carrington*) ... 676

Moved, "That the Bill be now read 2^{a}."—(*Earl Carrington.*)

The Earl of Camperdown 676
Lord Balfour of Burleigh 677
Earl Carrington 678
The Marquess of Lansdowne 679
The Earl of Crewe 680
The Earl of Halsbury 680
Lord Saltoun 680

On Question, Bill read 2^{a}, and committed to a Committee of the Whole House on Monday next.

Prevention of Crime Bill. [SECOND READING].—Order of the Day for the Second Reading read.

The Lord Steward (*Earl Beauchamp*) 681

Moved, "That the Bill be now read 2^{a}."—(*Earl Beauchamp*).

Lord Ashbourne 684
The Earl of Meath 686

Earl Russell 686
The Lord Archbishop of Canterbury 688
Earl Beauchamp 689

On Question, Bill read 2^a and committed to a Committee of the Whole House on Tuesday next.

AGRICULTURAL COLLEGES.

Lord Monk Bretton 689
Lord Reay 695
Lord Zouche of Haryngworth 697
Lord Clifford of Chudleigh 698
The Earl of Harrowby 700
Earl Carrington 700
The Earl of Onslow 701
The Chancellor of the Duchy (Lord Fitzmaurice) 704
Lord Belper 705

House adjourned at Five minutes before Seven o'clock, till To-morrow, Six o'clock.

HOUSE OF COMMONS: THURSDAY, 10TH DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

THE CHAIRMAN OF WAYS AND MEANS.—The Clerk at the Table informed the House of the unavoidable absence from this day's sitting of the Chairman of Ways and Means.

PETITIONS.

Coal Mines (Eight Hours) Bill.—Petition in favour; to lie upon the Table ... 706

Enfranchisement of Women.—Petition for legislation; to lie upon the Table 706

RETURNS, REPORTS, ETC.

Evicted Tenants (Ireland) Act, 1907.—Return giving particulars of cases in which persons have been reinstated with the assistance of the Estates Commissioners during the quarter ended 30th September, 1908; to lie upon the Table 706

Treaty Series (No. 32, 1908).—Procès-Verbal between the United Kingdom and Bulgaria, respecting Customs Duties; to lie upon the Table 706

Adjournment Motions under Standing Order No. 10.—Return ordered, "of Motions for Adjournment under Standing Order No. 10, showing the date of such Motion, the name of the Member proposing the definite matter of urgent public importance, and the result of any Division taken thereon during Session 1908" 707

Closure of Debate (Standing Order No. 26).—Return ordered "respecting application of Standing Order No. 26 (Closure of Debate) during Session 1908; (1) in the House and in Committee of the Whole House 707

Public Bills.—Return ordered, "of the number of Public Bills, distinguishing Government from other Bills, introduced into this House, or brought from the House of Lords during Session 1908; showing the number which received the Royal Assent; the number which were passed by this House, but not by the House of Lords; the number passed by the House of Lords, but not by this House; and distinguishing the stages at which such Bills as did not receive the Royal Assent were dropped or postponed and rejected in either House of Parliament" 707

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Public Petitions.—Return ordered, "of the number of Public Petitions presented and printed in Session 1908; with the total number of signatures in that year" 708

Select Committees.—Return ordered, "of the number of Select Committees appointed in session 1908 (including the Standing Committees of Law and Trade) and the Court of Referees; the subject of inquiry; the names of the Members appointed to serve on each, and of the Chairman of each; the number of days each Committee met, and the number of days each Member attended; the total expense of the attendance of witnesses at each Select Committee, and the name of the Member who moved for such Select Committee; also the number of Members who served on Select Committees" ... 708

Standing Committees.—Return ordered, "for the Session of 1908, of (1) the total number and the names of all Members (including and distinguishing Chairmen) who have been appointed to serve on one or more of the four Standing Committees appointed under Standing Order No. 47, showing with regard to each of such Members, the number of sittings at which he was present and the number of divisions in which he took part; and (2) the number of Bills considered by all and by each of the Standing Committees, the number of days on which each Committee sat, and the names of all Bills considered by a Standing Committee, distinguishing where a Bill was a Government Bill or was brought from the House of Lords, and showing, in the case of each Bill, the particular Standing Committee by whom it was considered, the number of days on which it was considered by the Committee, and the number of Members present on each of those days" 709

Sittings of the House.—Return ordered, "of the number of days on which the House sat in Session 1908, stating for each day the date of the month and day of the week, the hour of the meeting, and the hour of adjournment; and the total number of hours occupied in the Sittings of the House, and the average time, and showing the number of hours on which the House sat each day, and the number of hours after eleven p.m.; and the number of entries in each day's Votes and Proceedings" 709

Business of the House (Days Occupied by Government and by Private Members).—Return ordered, "showing with reference to Session 1908: (1) the number of Sittings at which Government Business had precedence under the Standing Orders during the entire Sitting; (2) the number of Sittings on Tuesdays and Wednesdays at which precedence was given to Government Business up till 8.15 p.m., and to Private Members at 8.15 p.m., and the number of Sittings on Fridays at which Private Members had precedence under the Standing Orders; (3) the number of Sittings at which Government Business was given precedence under a special order of the House during the entire Sitting; (4) the number of Saturday Sittings; (5) the total number of Sittings at which Government Business had precedence; (6) the total number of days on which the House sat; and (7) the number of days on which Business of Supply was considered"... 710

Private Bills and Private Business.—Return ordered, "of the number of Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders introduced into the House of Commons and brought from the House of Lords, and of Acts passed in Session 1908, classed according to the following subjects:—Railways; Tramways; Tramroads; Subways; Canals and Navigations; Roads and Bridges; Water; Waterworks; Gas; Gas and Water; Lighting and Improvement; Police and Sanitary Regulations; Corporations, etc. (not relating to Police and Sanitary Regulations or to Lighting and Improvement Schemes); Ports, Piers, Harbours, and Docks; Churches, Chapels, and Burying Grounds; Markets and Fairs; Gaols and other County Buildings; Inclosure and Drainage; Estate; Patent; Divorce; Naturalisation; Hospitals, Name, Legitimisation, and Miscellaneous."

"Of all the Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders which in Session 1908 have been reported on by Committees on Opposed Private Bills or by Committees nominated partly by the House and partly by the Committee of Selection, together with the names of the selected Members who served on each Committee; the first and also the last day of the sitting of each Committee; the number of days on which each Committee sat; the number of days on which each selected Member has served; the number of days occupied by each Bill in Committee; the Bills the Preambles of which were reported to have been proved; the Bills the Preambles of which were reported to have been not proved; and, in the case of Bills for confirming Provisional Orders, whether the Provisional Orders ought or ought not to be confirmed."

"Of all Private Bills and Bills for confirming Provisional Orders, which, in Session 1908, have been referred by the Committee of Selection, or by the General Committee on Railway and Canal Bills, to the Chairman of the Committee of Ways and Means, together with the names of the Members who served on each Committee; the number of days on which each Committee sat; and the number of days on which each Member attended."

"And of the number of Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders withdrawn or not proceeded with by the parties, those Bills being specified which have been referred to Committees and dropped during the sittings of the Committee 710

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PUBLICATIONS.—Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 358] ... 778

Poisons and Pharmacy Bill [LORDS].—Reported with Amendments, from Standing Committee A.

Report to lie upon the Table, and to be printed. [No. 359.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 359.]

Bill, as amended (in the Standing Committee), to be taken into consideration To-morrow, and to be printed. [Bill 400] ... 778

MESSAGE FROM THE LORDS.—They have agreed to; Local Authorities (Admission of the Press) Bill, with Amendments.

That they have passed a Bill, intituled, "An Act for further promoting the Revision of the Statute Law by repealing enactments which have ceased to be in force or have become unnecessary." [Statute Law Revision Bill [Lords]] ... 778

Statute Law Revision Bill [LORDS]. –Read the first time; to be read a second time To-morrow, and to be printed. [Bill 403] ... 779

Local Authorities (Admission of the Press) Bill.—Lords Amendments to be considered upon Monday next, and to be printed. [Bill 402] ... 779

NEW BILLS.

Public Meeting Bill.—Presented by Lord Robert Cecil; to be read a second time To-morrow, and to be printed. [Bill 401] ... 779

Firearms (Scotland and Ireland) Bill.—Presented by Mr. Jesse Collings; to be read a second time upon Thursday next, and to be printed. [Bill 404] ... 779

Coal Mines (Eight Hours) (No. 2) Bill.—As amended (in the Standing Committee), further considered.

Mr. Lupton (Lincolnshire, Sleaford) ... 779
Mr. Beck (Cambridgeshire, Wisbech) ... 784

Amendment proposed—

"In page 1, line 6, after the word 'mine,' to insert the words 'in his place of work.'"—*(Mr Lupton.)*

Question proposed, "That those words be there inserted."

The Secretary of State for the Home Department (*Mr. Gladstone, Leeds, W.*) ... 785
Mr. Samuel Roberts (*Sheffield, Ecclesall*) ... 786
Mr. Ridsdale (*Brighton*) ... 787
Lord R. Cecil (*Marylebone, E.*) ... 788
Sir F. Cawley (*Lancashire, Prestwich*) ... 789
Mr. Hicks Beach (*Gloucestershire, Tewkesbury*) ... 790
The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorkshire, Cleveland*) ... 790
Mr. Stuart Wortley (*Sheffield, Hallam*) ... 791
Sir Charles W. Dilke (*Gloucestershire, Forest of Dean*) ... 791
Sir F. Banbury (*City of London*) ... 792
Mr. Wm. Abraham (*Glamorganshire, Rhondda*) ... 793
Mr. Parkes (*Birmingham, Central*) ... 794

Question put.

The House divided:—Ayes, 49; Noes, 225. (Division List No. 441.)

Mr. Lupton ... 797

Amendment proposed—

"In page 1, line 6, after the word 'work,' to insert the words 'excluding any periods of rest or refreshment, duly authorised by the manager, not exceeding forty minutes in all.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

Mr. Gladstone ... 799
Viscount Castlereagh (*Maidstone*) ... 801
Sir F. Cawley ... 801
Mr. J. F. Mason (*Windsor*) ... 802
Mr. Laurence Hardy (*Kent, Ashford*) ... 802
Mr. Markham (*Nottingham, Mansfield*) ... 803
Mr. Lambton (*Durham, S.E.*) ... 804
Mr. Bowles (*Lambeth, Norwood*) ... 805
Mr. Herbert Samuel ... 806
Mr. Samuel Roberts ... 806
Sir F. Banbury ... 809

Amendment to the Amendment proposed—

"After the word 'manager,' to insert the words 'at the request of the men.'"—(*Mr. Samuel Roberts.*)

Agreed to.

Question proposed, "That those words as amended, be there inserted."

Mr. Parkes ... 809
Mr. Albert Stanley (*Staffordshire, N.W.*) ... 811
Mr. Austen Chamberlain (*Worcestershire, E.*) ... 811
Mr. Herbert Samuel ... 813
Mr. Bonar Law (*Camberwell, Dulwich*) ... 814
Mr. Lupton ... 916
Mr. Beck ... 816
Mr. Gladstone ... 816

Question put.

The House divided:—Ayes, 79; Noes, 258. (Division List No. 442.)

Mr. Bowles ... 819

Amendment proposed—

"In page 1, line 7, to leave out from the word 'work' to the second word 'for' in line 8."

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Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Herbert Samuel ... 821
Mr. Samuel Roberts ... 822
Mr. Lyttelton (St. George's, Hanover Square) ... 822
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) ... 822
Viscount Castlereagh ... 824
Sir C. J. Cory (Cornwall, St. Ives) ... 824
Mr. Markham (Nottinghamshire, Mansfield) ... 825
Lord R. Cecil ... 826
Mr. G. D. Faber (York) ... 828
Mr. Lupton ... 829
Mr. Stuart Wortley ... 831
Mr. Lambton ... 832
Sir S. Evans ... 832
Mr. Austen Chamberlain ... 832
Sir S. Evans ... 833
Mr. Beck ... 834
Sir F. Banbury ... 834
Mr. A. J. Balfour (City of London) ... 836
Mr. Gladstone ... 837

Amendment agreed to.

Mr. Watt ... 838
Mr. Hicks Beach ... 839

Amendment proposed—

"In page 1, line 8 to leave out from the word 'purpose' to the end of the subsection, and to insert the words 'over forty-eight hours in one week.'"—(*Mr. Watt.*)

Question proposed, "That the words 'more than' stand part of the clause."

Mr. Gladstone ... 842
Mr. Joynson-Hicks (Manchester, N.W.) ... 843
Sir Ivor Herbert (Monmouthshire, S.) ... 844
Mr. J. F. Mason (Windsor) ... 844
Mr. Lupton ... 845
Mr. Samuel Roberts ... 846
Mr. Lambton ... 848
Mr. Atherley Jones ... 849
Mr. Stanley Wilson (Yorkshire, E.R., Holderness) ... 851
Mr. Hunt (Shropshire, Ludlow) ... 853
Mr. Markham ... 854
Mr. Goulding (Worcester) ... 855
Sir F. Banbury ... 859
Mr. Bowles ... 861
Mr. Fell (Great Yarmouth) ... 865
Mr. Ridsdale ... 867
Sir S. Evans ... 869
Mr. Rawlinson (Cambridge University) ... 871
Mr. Laurence Hardy ... 873
Mr. Beck ... 874
Sir Henry Craik (Glasgow and Aberdeen Universities) ... 875
Mr. Russell Rea (Gloucester) ... 877
Mr. Bellairs (Lynn Regis) ... 877
Mr. Bonar Law ... 879

Question put.

The House divided :—Ayes, 225 ; Noes, 57. (Division List, No. 443.)

Mr. Fell 883
Mr. Bowles... 885

Amendment proposed—

"In page 1, line 9, at the end, to insert the words 'but this shall not apply to a colliery being opened out until such colliery shall be in a working condition for the regular output of coal."

Question proposed, "That those words be there inserted."

Sir S. Evans 886
Mr. Carlile (*Hertfordshire, St. Albans*) 887

Amendment negatived.

Mr. Ridsdale 887
Mr. Hunt 889

Amendment proposed—

In page 1, line 9, at end, to insert the words 'The workmen in any mine may, by a majority of them signing a declaration to that effect, contract themselves out of this Act. Such declaration must be notified to the Secretary of State for the Home Department, and, one month after such notification, the provisions of this Act shall not apply in that mine.'"—(*Mr. Ridsdale.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 892
Mr. Renwick (*Newcastle-on-Tyne*) 892
Mr. Herbert Samuel 896
Viscount Castlereagh 897
Mr. Markham 898
Lord R. Cecil 900
Mr. Bowles... 901
Mr. Stanley Wilson 902
Mr. Harmood-Banner (*Liverpool, Everton*) 902
Mr. J. F. Mason 903
Mr. Gladstone 904

Question put.

The House divided :—Ayes, 55 ; Noes, 232. (Division List No. 444.)

Motion made, and Question, "That further consideration of the Bill, as amended, be now adjourned,"—(*Mr. Secretary Gladstone*,)—put, and agreed to.

Bill, as amended (in the Standing Committee), to be further considered To-morrow.

East India Loans Bill.—Considered in Committee.

(In the Committee.)

[Mr. CALDWELL (Lanarkshire, Mid.) in the Chair.]

Clauses 1 and 2 agreed to.

Clause 3 :

Dr. Rutherford (*Middlesex, Brentford*) 907

Amendment proposed—

"In page 1, line 15, to leave out the word 'twenty,' and to insert the word 'ten.'"—(*Dr. Rutherford.*)

Question proposed, "That the word 'twenty' stand part of the Clause."

The Under-Secretary of State for India (*Mr. Buchanan, Perthshire, E.*) ... 909
Sir H. Cotton (*Nottingham, E.*) 910

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Amendment negatived.

Dr. Rutherford 911

Amendment proposed—

"In page 1, line 16, at end, to insert the words 'other than strategic.'"—(*Dr. Rutherford.*)

Question proposed, "That those words be there inserted."

Mr. Buchanan 912

Amendment negatived.

Dr. Rutherford 912

Amendment proposed—

"In page 1, line 19, after the word 'State,' to insert the words 'and in the better provision for third-class passengers, both as to carriages and waiting rooms.'"—(*Dr. Rutherford.*)

Question proposed, "That those words be there inserted."

Mr. Keir Hardie (*Merthyr Tydvil*) 913
Sir H. Cotton 914
Mr. Buchanan 914

Amendment negatived.

Dr. Rutherford 915

Amendment proposed—

"In page 2, line 6, to insert the words '(5) in the provision of elementary schools in India; (6) in the sanitation in India; (7) in the establishment of State agricultural banks.'"

Question proposed, "That those words be there inserted."

Mr. Buchanan 916

Amendment negatived.

Mr. Keir Hardie 917

Amendment proposed—

"In page 2, line 6, at the end, to add the words 'and the rates charged for water supplied by an irrigation scheme shall not exceed such sum as would be represented by a sum equal to the amount necessary to repay in thirty years the capital employed in the undertaking, plus 5 per cent. thereon.'"—(*Mr. Keir Hardie.*)

Mr. Buchanan 918

Amendment, by leave, withdrawn.

Question proposed, "That Clause 3 stand part of the Bill."

Mr. Mackarness (*Berkshire, Newbury*) 918
Sir H. Cotton 920
Mr. Buchanan 921
Sir Charles W. Dilke 921
Sir J. Jardine (*Roxburghshire*) 922

Question put.

The Committee divided:—Ayes, 89; Noes, 15. (Division List No. 445.)

Remaining clauses agreed to.

Bill reported, without Amendment; to be read a third time To-morrow.

Summary Jurisdiction (Scotland) Bill.—As amended (in the Standing Committee), considered; read the third time and passed 925

Local Government (Scotland) Bill. As amended (in the Standing Committee), considered.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. Mooney (Newry) 925

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Mooney.*)

Question proposed, "That the word 'now' stand part of the Question."

The Secretary for Scotland (Mr. Sinclair, Forfarshire) 927
Mr. Swift MacNeill (Donegal, S.) 928
Mr. Sinclair 929
Mr. Mooney 930
Mr. Cochrane (Ayrshire, N.) 930

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read the third time, and passed.

Crofters' Commons Grazings Regulation Bill.—Order for the Second Reading read.

Mr. Sinclair 931
Mr. Cochrane 932

Bill read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Sinclair.*)

Whereupon MR. DEPUTY-SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at seventeen minutes past One o'clock.

HOUSE OF LORDS: FRIDAY, 11TH DECEMBER, 1908.

THE EARL CARRINGTON.—Chosen Speaker in the absence of the Lord Chancellor and the Lords Commissioners 933

PETITION.

Port of London Bill.—Petition praying to be heard by counsel against; of the Corporation of London; read, and ordered to lie on the Table. ... 933

RETURNS, REPORTS, ETC.

Old-Age Pensions Act, 1908.—Circular issued to local pension committees and sub committees in England and Wales by the Local Government Board 933

Banking, Railway, and Shipping Statistics (Ireland).—Report for half-year ended 30th June, 1908. Presented, and ordered to lie on the Table 933

Local Government Board (Ireland).—Regulations (organisation for unemployed) (Ireland), 1908 933

Census of Production Act (1906.)—Rules made by the Board of Trade, Nos. CIII.—CV.

Laid before the House and ordered to lie on the Table 933

Summary Jurisdiction (Scotland) Bill (No. 249.) Local Government (Scotland) Bill. (No. 250).—Brought from the Commons and read 1^{a}; to be printed; and to be read 2^{d} on Monday next.—(*The Lord Herschell*) ... 933

House adjourned at ten minutes past Six o'clock to Monday next, a quarter past Three o'clock.

HOUSE OF COMMONS: FRIDAY, 11TH DECEMBER, 1908.

The House met at Twelve Noon of the Clock.

PETITIONS.

ENFRANCHISEMENT OF WOMEN.—2 Petitions for legislation. To lie upon the Table. 934

RETURNS, REPORTS, &c.

Banking, Railway, and Shipping Statistics (Ireland).—Report on the Banking, Railway, and Shipping Statistics of Ireland for the half-year ended 30th June, 1908; to lie upon the Table. 934

Local Government Board (Ireland).—Regulations (Organisation for Unemployed) (Ireland), 1808, made under the Unemployed Workmen Act, 1905; to lie upon the Table 934

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table 934

Old-Age Pensions Act, 1908.—Circular issued to Local Pension Committees and Sub-Committees in England and Wales by the Local Government Board, dated 11th December, 1908; to lie upon the Table 934

County and Borough Councils (Women Electors).—Return presented—relative thereto; to lie upon the Table 934

PAPERS LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.—Adjournment Motions under Standing Order No. 10.—Return relative thereto; to be printed. [No. 360.]

Closure of Debate (Standing Order No. 26).—Return relative thereto; to be printed. [No. 361.]

Public Bills.—Return relative thereto; to be printed.

Public Petitions.—Returns relative thereto; to be printed.

Select Committees.—Return relative thereto; to be printed.

Standing Committees.—Return relative thereto; to be printed.

Sittings of the House.—Return relative thereto; to be printed.

Business of the House (Days Occupied by Government and by Private Members).—Return relative thereto: to be printed.

Private Bills and Private Business.—Return relative thereto; to be printed.

Inquiry into Charities (County of Lancaster) and Inquiry into Charities (County Borough of St. Helens).—Further Returns presented relative thereto; to be printed. [No. 363] ... ... 934.

Private Legislation Procedure (Scotland) Act, 1899.—Return ordered, "of all the Draft Provisional Orders under the Private Legislation Procedure (Scotland) Act, 1899, which in the session of 1908 have been reported on by Commissioners; together with the names of the Commissioners; the first and also the last day of sittings in each group; the number of days on which each body of Commissioners sat; the number of days on which each

Commissioner has served; the number of days occupied by each Draft Provisional Order before the Commissioners; the Draft Provisional Orders the Preambles of which were reported to have been proved; and the Draft Provisional Orders the Preambles of which were reported to have been not proved."—(*Mr. Sinclair.*) ... 935

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Preservatives in Food—Reprinting the Report ... 936
Estate Duty—Gross Annual Values ... 936
Recruitment of Labour for Cocoa Plantations at St. Thome and Principe ... 937
Emancipation of Slaves under the East African Protectorate Ordnance ... 937
Repayment of Loans for Small Holdings ... 938
Cattle-Breeding in Ireland and Wales ... 939
The Fishing Industry ... 939
Residences for Irish Assistant Teachers ... 939
Birth and Death Rates in Ireland ... 940
Grants withdrawn from Irish Schools ... 941
Trials of New Sub-target Rifle Machines ... 941
Welsh Disestablishment ... 942

Coal Mines (Eight Hours) (No. 2) Bill.—As amended (in the Standing Committee), further considered.

Mr. Beck (Cambridgeshire, Wisbech) ... 946
Mr. Bowles (Lambeth, Norwood) ... 946
The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 949

Amendment proposed—

"In page 1, line 13, to leave out the words 'During the three years after the commencement of this Act.'"—(*Mr. Beck.*)

Question proposed, "That the words 'During the' stand part of the Bill."

Mr. Gladstone ... 951
Mr. Keir Hardie (Merthyr Tydvil) ... 955
Mr. Lupton (Lincolnshire, Sleaford) ... 955
Sir F. Banbury (City of London) ... 956
Mr. J. F. Mason (Windsor) ... 958
Mr. Bonar Law (Camberwell, Dulwich) ... 960
Mr. E. Edwards (Hanley) ... 963
Viscount Castlereagh (Maidstone) ... 964
Mr. Samuel Roberts (Sheffield, Ecclesall) ... 965
Mr. Verney (Buckinghamshire, N.) ... 968
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) ... 968
Mr. Hicks Beach (Gloucestershire, Tewkesbury) ... 970
Sir C. J. Cory (Cornwall, St. Ives) ... 971
Mr. William Abraham, (Glamorganshire, Rondda) ... 973
Mr. Renwick (Newcastle-on-Tyne) ... 975
Mr. Harmood-Banner (Liverpool, Everton) ... 977

Question put.

The House divided:—Ayes 207; Noes, 50. (Division List No. 446.)

Amendment proposed—

"In page 1, line 13, to leave out the word 'three,' and to insert the word 'five.'"—(*Mr. Gladstone.*)

Question proposed, "That the word 'three' stand part of the clause."

Mr. Keir Hardie 983
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 983
Mr. Bowles 983

Question, "That the word 'three' stand part of the Bill," put, and negatived.

Question proposed, "That the word 'five' be there inserted."

Mr. Russell Rea (Gloucester) 985
Mr. Laurence Hardy (Kent, Ashford) 988
Mr. Gladstone 988
Mr. A. J. Balfour (City of London) 989
Mr. Lupton 991
Mr. Markham (Nottinghamshire, Mansfield) 992

Question put.

The House divided:—Ayes, 240; Noes, 47. (Division List No. 447.)

Mr. Bowles 995
Sir F. Banbury 997

Amendment proposed—

"In page 1, line 26, after the word 'workman,' to insert the words 'or person whose hours below ground are prescribed by this Act.'"—(*Mr. Bowles.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 997

Amendment, by leave, withdrawn.

Sir Philip Magnus (London University) 998
Mr. Hicks Beach 999

Amendment proposed—

"In page 2, line 2, after the word 'meeting' to insert the words 'or preventing.'"—(*Sir Philip Magnus.*)

Question proposed, "That those words be their inserted."

Sir S. Evans 1000

Amendment, by leave, withdrawn.

Sir F. Banbury 1000

Amendment proposed—

"In page 2, line 3, after the word 'danger,' to insert the words 'or apprehended danger.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1001

Amendment agreed to.

Mr. W. T. Wilson (Lancashire, Westhoughton) 1001

Amendment proposed—

"In page 2, line 3, to leave out from the word 'danger' to end of line 7.'"—(*Mr. W. T. Wilson.*)

Question proposed, "That the words proposed to be left out, to the word 'through' in page 2, line 4, stand part of the Bill."

Mr. Gladstone 1001
Mr. Bowles 1002

Amendment negatived.

Sir Philip Magnus 1002
Mr. Hicks Beach 1003

Amendment proposed—

"In page 2, line 4, to leave out the words 'through unforeseen circumstances.'"—(*Sir Philip Magnus.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir S. Evans 1004
Mr. Bonar Law 1005
Mr. Herbert Samuel 1006
Mr. Bowles 1006
Sir F. Banbury 1007
Mr. Ponsonby (Stirling Burghs) 1008
Mr. G. D. Faber (York) 1009
Mr. Markham 1011
Mr. Laurence Hardy 1011
Mr. Renwick 1012
Sir Philip Magnus 1013

Question put.

The House divided:—Ayes, 252; Noes, 53. (Division List No. 448.)

Mr. Bowles 1015
Viscount Castlereagh 1017

Amendment proposed—

"In page 2, line 6, to leave out the word 'serious,' and insert the word 'substantial.'"—(*Mr. Bowles.*)

Question proposed, "That the word 'serious' stand part of the Bill."

Sir S. Evans 1017
Sir F. Banbury 1017
Mr. Hicks Beach 1018
Sir S. Evans 1019
Mr. Bowles... 1019

Amendment, by leave, withdrawn.

Sir Philip Magnus 1020

Amendment proposed—

"In page 2, line 7, to leave out the word 'district,' and insert the word 'part.'"—(*Sir Philip Magnus.*)

Question proposed, "That the word 'district' stand part of the Bill."

Mr. Gladstone 1020

Amendment, by leave, withdrawn.

Mr. Gladstone 1022

Amendment proposed—

"In page 2, line 7, at end to insert the words 'or in the case of stallmen when engaged in the process of taking down top coal in square or wide work in the thick coal of the South Staffordshire district, so long as their presence in or near the stall is necessary to ensure safety.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."

Mr. Albert Stanley (Staffordshire, N.W.) 1022
Mr. Parkes (Birmingham, Central) 1023
Mr. Bowles... 1023
Mr. Gladstone 1023

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Amendment agreed to.

Sir C. J. Cory 1023

Amendment proposed—

"In page 2, line 7, at the end to insert the words 'or for the purpose of maintaining the safety of the mine or any part thereof, or of any person or persons employed therein.'"—(*Sir C. J. Cory*).

Question proposed, "That those words be there inserted."

Sir S. Evans 1025

Amendment negatived.

Mr. Bowles 1027
Mr. Hicks Beach 1028

Amendment proposed—

"In page 2, line 22, to leave out the word 'approved,' and insert the words 'not disapproved.'"—(*Mr. Bowles*).

Question proposed, "That the word 'approved,' stand part of the Bill."

Sir S. Evans 1029
Mr. Lupton... 1029

Amendment, by leave, withdrawn.

Mr. Gladstone 1030

Amendment proposed—

"In page 2, line 23, at the end to insert, 'Provided that in the event of any accident to the winding machinery, or other accident interfering with the lowering or raising of workmen the interval may temporarily be extended to such extent as may be necessary, but in any such case the owner, agent, or manager of the mine shall on the same day send notice of the extension and the cause thereof to the inspector, and the extension shall not continue beyond such date as may be allowed by the inspector.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Drafting Amendment made.

Sir F. Banbury 1030

Amendment proposed—

"In page 2, line 29, at the end, to insert the words, '(6) The owner, agent, or manager shall supply a printed statement of the regulations referred to in section one, subsections three, four, and five, gratis to each workman who applies for a copy at the office at which such workman employed by the owner, agent, or manager is paid.'"—(*Sir F. Banbury*).

Question proposed, "That those words be there added."

Mr. Laurence Hardy 1031
Mr. Herbert Samuel 1031
Mr. Markham 1032

Amendment, by leave, withdrawn.

Amendment proposed—

In page 2, line 31, to leave out the first word 'the,' and insert 'a.'"—(*Mr. Gladstone*).

Amendment agreed to.

Amendment proposed—

"In page 2, line 31, after the word 'inspector' to insert the words 'under the last foregoing subsection.'"—(*Mr. Gladstone*).

Question proposed, "That those words be there inserted."

Mr. J. F. Mason ... 1032

Amendment agreed to.

Sir F. Banbury ... 1033
Viscount Castlereagh ... 1033

Amendment proposed—

"In page 2, line 34, to leave out the words 'the Judge of the County Courts for the district,' and to insert the words 'a Judge of His Majesty's High Court of Justice.'"—(*Sir F. Banbury*).

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir S. Evans ... 1033
Mr. Laurence Hardy ... 1034
Mr. Renwick ... 1035
Lord R. Cecil ... 1036

The House divided:—Ayes, 205; Noes, 45. (Division List No. 449.)

Sir S. Evans ... 1039

Amendment proposed—

In page 2, line 40, after the word 'mine' to insert the words 'other than a fireman, examiner, or deputy.'"—(*Sir S. Evans*).

Question proposed, "That those words be there inserted."

Mr. Lupton ... 1039

Amendment agreed to.

Mr. Lupton ... 1039
Sir C. J. Cory ... 1040

Amendment proposed—

"In page 2, line 40, to leave out the second word 'or —(*Sir C. J. Cory*).

Question proposed, "That the word 'or' stand part of the Bill."

Mr. Herbert Samuel ... 1040

Amendment negatived—

Viscount Castlereagh ... 1041

Amendment proposed—

"In page 3, line 1, to leave out the word 'body,' and insert the word 'number."—(*Viscount Castlereagh.*)

Amendment agreed to.

Mr. Keir Hardie ... 1042
Mr. Thomas Richards (*Monmouthshire, W.*) ... 1043

Amendment proposed—

"In page 3, line 5, to leave out the words 'firemen or deputy.'"—(*Mr. Keir Hardie.*)

Question proposed, "That the word 'firemen' stand part of the Bill."

Mr. Markham ... 1044
Mr. Lupton ... 1044
Sir C. J. Cory ... 1045
Sir S. Evans ... 1045

Amendment negatived.

Amendment proposed—

"In page 3, line 5, after the word 'firemen,' to insert the word 'examiner.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Lupton ... 1047
Mr. Bowles... ... 1048

Amendment proposed—

"In page 3, line 6, after the word 'fanman,' to insert the word 'engineman.'"—(*Mr. Lupton.*)

Question proposed, "That the word 'engineman' be there inserted."

Mr. Herbert Samuel ... 1048
Mr. Lambton ... 1049
Lord R. Cecil ... 1049
Mr. Gladstone ... 1050

Question put.

The House Divided:—Ayes, 36; Noes, 159. (Division List No. 450.)

Amendment proposed—

"In page 3, line 8, to leave out the word 'three,' and insert the word 'five.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Viscount Castlereagh ... 1051

Amendment proposed—

'In page 3, line 23, at the end to add the words "except in legal proceedings.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there added."

Mr. Bowles ... 1052
Sir S. Evans ... 1053

Amendment, by leave, withdrawn.

Mr. Lambton ... 1053
Mr. Bowles... ... 1054

Amendment proposed—

"In page 3, line 31, to leave out the words 'and the cause thereof.'"—(*Mr. Lambton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Herbert Samuel ... 1054
Mr. Lambton ... 1055
Mr. Lupton ... 1056
Mr. Markham ... 1056
Sir S. Evans ... 1057
Mr. Renwick ... 1057

Amendment, by leave, withdrawn.

Mr. Bowles... ... 1058

Amendment proposed—

"In page 3, line 35, to leave out the words 'one or more persons," and insert the words 'a person.'"—(*Mr. Bowles.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Markham .. 1059
Mr. Gladstone ... 1059
Viscount Castlereagh ... 1059
Mr. Walsh (Lancashire, Ince) ... 1059
Mr. A. J. Balfour 1060

Amendment, by leave, withdrawn.

Sir F. Banbury 1061

Amendment proposed—

"In page 3, line 40, after the word 'weigher,' to insert the words 'other than Section 1, subsection 4 of the Coal Mines (Weighing of Minerals) Act, 1905.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1061

Amendment, by leave, withdrawn.

Sir F. Banbury 1061

Amendment proposed —

"In page 3, line 40, to leave out from the word 'weigher' to the word 'shall' in line 41."—(*Sir F. Banbury.*)

Mr. Gladstone 1062

Amendment, as amended, agreed to.

Amendments proposed—

"In page 4, line 5, after the word 'person,' to insert the word 'knowingly.'"

"In page 4, line 6, after the first word 'or' to insert the word 'knowingly.'"—(*Sir F. Banbury.*)

Amendments agreed to.

Mr. Lupton 1062

Amendment proposed—

"In page 4, line 8, at the end to insert the words 'Provided that the total amount of fines for offences under this section committed at any one pit in any one period of twenty-four hours shall not exceed twenty-five pounds.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

Mr. Markham 1063
Mr. Herbert Samuel 1063

Amendment agreed to.

Amendment proposed—

"In page 4, line 12, after the word 'mine' to insert the words 'or seam.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 1064
Lord R. Cecil 1064
Mr. Bowles 1065
Sir C. J. Cory 1065
Mr. Markham 1066
Mr. Herbert Samuel 1066

Question put.

The House divided :—Ayes, 20 ; Noes, 88. (Division List No. 451.)

Mr. Beck 1067
Mr. Hicks Beach 1069

Amendment proposed—

"In page 4, line 13, to leave out the word 'sixty,' and to insert the word 'ninety,'"—(*Mr. Beck.*)

Question proposed, "That the word 'sixty' stand part of the Bill."

Mr. Gladstone 1069

Amendment, by leave, withdrawn.

Mr. Fell 1069
Mr. Bowles 1070

Amendment proposed—

"In page 4, line 27, after the word 'time,' to insert the words 'or a rise in the price of household coal to the extent of 5s. above the average price of the preceding three years.'"—(*Mr. Fell.*)

Question proposed, "That those words be there inserted."

Mr Herbert Samuel 1071
Mr. Renwick 1072
Mr. Keir Hardie 1073
Lord R. Cecil 1073
Sir C. J. Cory 1074

Amendment negatived.

Sir F. Banbury 1075
Mr. Bowles 1076

Amendment proposed—

"In page 5, line 2, to leave out the words 'or permits any person to contravene or fail to comply with.'"—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir S. Evans 1076

Amendment, by leave, withdrawn.

Lord R. Cecil. 1077

Amendment proposed—

In page 5, line 3, to leave out the words 'for which a special penalty is not provided.'"—(*Lord R Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir S. Evans 1077

Amendment, by leave, withdrawn

Sir C. J. Cory 1078

Amendment proposed—

"In page 5, line 9, to leave out from the word 'offence,' to the word 'and,' in line 16, and insert the words 'unless it is proved that he wilfully prevented or attempted to prevent such workmen from observing the provisions of this Act or failed to afford reasonable facilities for such observance.'"—(*Sir Clifford Cory.*)

Question proposed, "That the words proposed to be left out, to the word 'publishing,' in line 10, stand part of the Bill."

Sir S. Evans 1080
Sir C. J. Cory 1080
Lord R. Cecil 1080
Mr. Walsh 1082
Sir S. Evans 1082

Amendment negatived.

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Amendment proposed—

"In page 5, line 10, after the word 'by' to insert the word 'making.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Gladstone 1084

Amendment proposed—

"In page 5, line 11, to leave out from the word 'regulations' to the word 'to' in line 15, and to insert the words 'for securing compliance with the provisions of this Act.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Lupton 1085
Mr. Hicks Beach 1086

Amendment proposed—

"In page 5, line 34, at the end, to insert the words '(2) This Act shall not apply to mines situate in the Forest of Dean.'" —(*Mr Hicks Beach.*)

Question proposed, "That those words be there inserted."

Mr. Gladstone 1088
Sir Charles W. Dilke 1088

Amendment negatived.

Mr. Gladstone 1088

Amendment proposed—

"In page 5, line 35, after the word 'operation' to insert the words 'as respects mines in the counties of Northumberland and Durham on the first day of January, nineteen hundred and ten, and elsewhere.'"

Question proposed, "That those words be there inserted."

Sir C. J. Cory 1089
Mr. Renwick 1089
Mr. Joseph Walton (Yorkshire, W.R., Barnsley) 1092
Mr. Lambton 1093
Mr. Lupton 1094
Mr. Markham 1094
Lord R. Cecil 1096

Amendment agreed to.

Sir C. J. Cory 1097

Amendment proposed—

"In page 5, line 36, at end, to insert the words 'Provided that the period of five years from the commencement of this Act hereinbefore referred to shall be calculated from the first day of July, nineteen hundred and nine, as well in the counties of Northumberland and Durham as elsewhere.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Bill to be read the third time on Monday next, and to be printed. [Bill 405.]

Housing of the Working Classes (Ireland) Bill.—Lords Amendments considered.

Lords Amendments to the Amendment—

"In page 4, line 10, agreed to."

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Lords Amendment—

"In page 4, line 10, to leave out the words 'compulsory purchase,' and insert the word 'acquisition.'"

The next Amendment disagreed to.

Lords Amendment—

"In page 4, line 11, to leave out the words 'the Act of 1890,' and to insert the words 'that Act.'"

The next Amendment agreed to.

Lords Amendment—

"I page 4, line 14, after the word 'Board,' to insert the words '(*a*) If land is not proposed to be taken compulsorily; or (*b*) If, although land is proposed to be taken compulsorily, the Local Government Board, before making an absolute order, are satisfied that notice of the draft or Provisional Order, as the case may be, has been served as required as respects a Provisional Order by subsection (5) of Section 8 of the Act of 1890, and also that the draft or Provisional Order, as the case may be, has been published in the *Dublin Gazette*, and that a petition against it has not been presented to the Local Government Board by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice or, having been so presented, has been withdrawn.'"

The Attorney-General for Ireland (*Mr. Cherry, Liverpool Exchange*) ... 1098

Amendment disagreed to.

Lords Amendment—

"In page 4, line 20, after the word 'Board,' to insert the words 'as the case may be.'"

The next Amendment agreed to.

Lords Amendment—

"In page 4, line 31, after the word 'published,' to insert the words '(4) If an order of the Local Government Board, which, if no petition were presented, would take effect without confirmation, is petitioned against, the Local Government Board may, if it thinks fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner, and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provision shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order. (6) The provisions of this section shall extend to orders of the Local Government Board made after the passing of this Act upon petitions of local authorities presented before the passing of this Act.'"

The next Amendment read a second time.

Amendment divided.

So much of the Lords Amendment as proposes to insert subsection (4) and (5) disagreed to.

So much of the Lords Amendment as proposes to insert subsection (6) agreed to.

Subsequent Lords Amendments, to the Amendment in page 7, line 11, agreed to.

Lords Amendment—

"In page 7, line 11, after the word 'woods,' to insert the words '(4) Provided that nothing in this Act shall authorise the appropriation or utilization for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, or any land held on trusts which prohibit building thereon, or held in trust for some charitable purpose, or for some particular public purpose specified or defined, as distinguished from the general purposes of a municipality or township or the general benefit or advantage of the inhabitants thereof,' the next Amendment, read a second time, amended, in line 1, by leaving out the word 'Act' and inserting the word 'section,' and by leaving out from the word 'ground,' in line 5, to the end of the Amendment, and agreed to." —(*Mr. Cherry*,)

Lords Amendment—

"In page 7, line 15, after '1890,' to insert the words 'of any town the population of which according to the last census exceeds two thousand.' "

The next Amendment disagreed to.

Remaining Lords Amendments agreed to.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of, Mr. Attorney-General for Ireland, Mr. Hugh Barrie, Mr. Fuller, Mr. Mooney, and Mr. Thomas O'Connor.

Three to be the quorum.

To withdraw immediately.—(*Mr. Cherry.*)

East Indian Loans Bill.—Read the third time, and passed 1100

Liverpool and Hong Kong Mail Service.—Resolved "That the contract, dated the 12th day of October, 1908, between His Majesty's Postmaster-General and the Canadian Pacific Railway Company for the conveyance of Mails between Liverpool and Hong-Kong, be approved."—(*Mr. Joseph Pease*) 1100

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Ten o'clock till Monday next.

HOUSE OF LORDS: MONDAY, 14TH DECEMBER, 1908.

PETITIONS.

Port of London Bill.—4 Petitions to be heard by Counsel against; read, and ordered to lie on the Table.
2 Petitions against; read, and ordered to lie on the Table... 1101

Coal Mines (Eight Hours) (No. 2) Bill.—3 Petitions against; read, and ordered to lie on the Table 1101

RETURNS, REPORTS, &c.

Treaty Series, No. 33 (1908).—Convention between the United Kingdom and France respecting the exchange of Post Office money orders between France and the Transvaal 1101

Colonies: Annual. — No. 589. British Guiana (Report for 1907–1908). Presented, and ordered to lie on the Table 1101

Army.—Territorial Force.—Further regulations for.
Army Reserve. Further regulations for (including Special Reserve) 1001

Census of Production Act, 1906.—Rules made by the Board of Trade, CCVI.—CCXVI.

Laid before the House, and ordered to lie on the Table 1101

HOME DEFENCE.

The Earl of Wemyss 1102
The Under-Secretary of State for War (*Lord Lucas*) 1107

White Phosperous Matches Prohibition Bill.—House in Committee (according to order). Bill reported without Amendments. Standing Committee negatived, and Bill to be read 3ª, To-morrow 1107

Port of London Bill.—[SECOND READING.]—Order for the Day for the Second Reading read.

Lord Hamilton of Dalzell 1108

Moved "That the Bill be now read 2ª."—*Lord Hamilton of Dalzell.*)

Lord Ritchie of Dundee 1119

Amendment moved—

"To leave out the word 'now,' in order to insert the words 'this day three months.'"—(*Lord Ritchie of Dundee.*)

Lord Swaythling 1126
Lord Leith of Fyvie 1128
The Earl of Onslow 1133
Earl Cromer 1139
Lord Avebury 1144
Lord Clinton 1151
Lord Desborough 1157
Viscount Milner 1162
The Marquess of Salisbury 1174
The Chancellor of the Duchy (*Lord Fitzmaurice*) 1179

On Question, whether the word "now" stand part of the Motion, resolved in the affirmative.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Wednesday next.

Education (Scotland) Bill.—Report of Amendments received.

Verbal Amendments in Clauses 5, 6, 8, 10, 12, 14, 17, 19, and 22 agreed to.

Lord Herschell 1188

Amendment moved—

"In page 24, line 25, to leave out from the word 'account' to the end of line 11, on page 25, and to insert the words 'and, in the event of any expenditure of the same nature as any payment so disallowed being incurred in any subsequent year by any school board to whom

such disallowance shall have been timeously notified by the Department, the Department, if they should be of opinion that the members authorising such expenditure should be surcharged, may present a petition to either division of the Court of Session craving to have such expenditure declared illegal, and the said members of the school board ordained to refund the amount of such expenditure in the event of it being declared illegal; and the Court shall, before granting or refusing the prayer of such petition, consider any representations made in answer thereto by the members proposed to be surcharged; and the Court shall have power to find that the expenses of the said proceedings shall be payable by the said members personally or out of the school fund as may appear just.' "—(*Lord Herschell.*)

Lord Balfour of Burleigh 1191
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*)... 1192

On Question, Amendment agreed to.

Consequential Amendments agreed to.

Amendment moved—

"In page 26, line 41, after subsection (6) to insert the following new subsection: '(7) Notwithstanding anything in this section contained, any ratepayer or elector who shall be dissatisfied with the account of a school board or any item therein may complain against the same by petition to the sheriff specifying the grounds of objection, and the sheriff shall hear and determine the matter of complaint, and his decision shall be subject to the same right of appeal as in ordinary actions in the Sheriff Court. Provided always, that it shall not be competent to petition the sheriff after the lapse of three months from the date of publication of the abstract of the accounts in terms of subsection (2) (*f*) of this section.' "—(*Lord Herschell.*)

On Question, Amendment agreed to.

Lord Herschell 1193

Amendment moved—

"In page 28, after line 9, to leave out subsection (3).' "—(*Lord Herschell.*)

On Question, Amendment agreed to.

Lord Balfour of Burleigh 1193

Amendment moved—

"In page 30, line 3, after the second word 'exceeding,' to insert the words 'five hundred pounds per annum in the case of endowments, the revenues of which before the passing of this Act might be applied to purposes in two or more counties, or in any other case not exceeding.' "—(*Lord Balfour of Burleigh.*)

Lord Herschell 1194
Lord Balfour of Burleigh 1195

Amendment, by leave, withdrawn.

Drafting Amendments agreed to.

Amendment moved—

"In page 32, after line 11, to insert the words 'Except in Section 6 of this Act, the expression 'parent' includes guardian and any person who is liable to maintain or has the actual custody of the child or young person; and in Section 6 the expression 'guardian,' includes any person as aforesaid."—(*Lord Herschell.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 33, line 16, after the word 'Parliament,' to insert the words 'or a school in receipt of any other grant from the Department a condition of which is that the average fee per child shall not exceed ninepence a week or such other sum as may be fixed from time to time by regulations of the Department.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Bill to be read 3ª To-morrow, and to be printed as amended. [No. 253.]

Agricultural Holdings (Scotland) Bill.—Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Earl Carrington.*)

Lord Balfour of Burleigh 1196

Amendment moved—

"To leave out all the words after the word 'that' for the purpose of inserting the following words, 'the Bill be referred to a joint Committee on Consolidation Bills.'"—(*Lord Balfour of Burleigh.*)

The President of the Board of Agriculture and Fisheries (Earl Carrington) 1198
Lord Saltoun 1198
Earl of Camperdown 1198
The Marquess of Lansdowne 1199

Amendment, by leave, withdrawn.

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of Onslow in the Chair.]

Clauses 1 and 5 agreed to.

Clause 6:

Lord Saltoun 1200

Amendment moved—

"In page 3, line 30, to leave out from the word 'made' to the second word 'the' in line 31, and to insert the word 'after.'"—(*Lord Saltoun.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 3, line 36, to leave out the words 'notice may be given,' and to insert the words 'claim may be made.'"—(*Lord Saltoun.*)

On Question, Amendment agreed to.

Lord Saltoun 1200

Amendment moved—

"In page 4, line 5, after the word 'given,' to insert the words 'by registered letter or otherwise.'"—(*Lord Saltoun.*)

On Question, Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7 to 10 agreed to.

Clause 11:

Earl Carrington 1201

Amendment moved—

"In page 7, line 16, to leave out the words 'or oversman.'"—(*Earl Carrington.*)

Lord Saltoun 1201
Earl of Camperdown 1201
Earl Carrington 1201

Amendment, by leave, withdrawn.

Clause 11 agreed to.

Clauses 12 to 16 agreed to.

Clause 17:

Drafting Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19:

Lord Balfour of Burleigh 1202
Lord Clinton 1202

Amendment moved—

"In page 11, line 6, after the word 'landlord' to insert the words 'or his known agent.'"—(*Lord Clinton.*)

Lord Balfour of Burleigh... 1203

Amendment, by leave, withdrawn.

Clause 19 agreed to.

Clause 20:

Lord Clinton 1203

Amendment moved—

"In page 12, lines 16 and 17, to leave out the words 'notice of removal,' and to insert the words 'such notice.'"—(*Lord Clinton.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 12, lines 16 and 17, to leave out the words 'of removal.'"—(*Lord Clinton.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 12, line 19, to leave out the words 'of removal,' and to insert the words 'given by the tenant as aforesaid.'"—(*Lord Clinton.*)

On Question, Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21, agreed to.

Clause 22:

Drafting Amendment, agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 34, agreed to.

Clause 35:

The Earl of Camperdown 1204

Amendment moved—

"In page 18, to leave out lines 28, 29, and 30."—(*The Earl of Camperdown.*)

On Question, Amendment agreed to.

Clause 35, as amended, agreed to.

Remaining clauses agreed to.

Standing Committee negatived; the report of Amendments to be received on Thursday next, the Bill to be printed as amended. [No. 254.]

Buxton Charity Bill.—[SECOND READING.]—Order of the Day for the Second Reading read.

Lord Denman 1204

Moved, "That the Bill be now read 2^{a}."—(*Lord Denman.*)

On Question, Bill read 2^{a}, and committed to a Committee of the Whole House To-morrow.

Long Ashton Charity Bill.—Read 2^{a} (according to order) and committed to a Committee of the Whole House To-morrow 1205

Abbots Bromley Charity Bill.—Read 2^{a} (according to order) and committed to a Committee of the Whole House To-morrow 1205

Summary Jurisdiction (Scotland) Bill [SECOND READING].—Order of the Day for the Second Reading read.

Lord Herschell 1206

Moved, "That the Bill be now read 2^{a}—(*Lord Herschell.*)

Lord Balfour of Burleigh... 1206

On Question, Bill read 2^{a} and committed to a Committee of the Whole House on Wednesday next.

Local Government (Scotland) Bill [SECOND READING].—Order of the Day for the Second Reading read.

Lord Herschell 1207

Moved, "That the Bill be now read 2^{a}.—(*Lord Herschell.*)

On Question, Bill read 2^{a}, and committed to a Committee on Wednesday next.

East India Loans Bill.—Brought from the Commons, read 1^{a}, and to be printed. [No. 255.] 1208

Coal Mines (Eight Hours) (No. 2) Bill.—Brought from the Commons, read 1^{a}, to be printed; and to be read 2^{a} to morrow (The Lord Steward (*E. Beauchamp*)). [No. 251.] 1208

Housing of the Working Classes (Ireland) Bill.—Returned from the Commons with several of the Amendments agreed to; several others agreed to with Amendments; and several others disagreed to: with reasons for such disagreement. The said Amendments and reasons to be printed. [No. 252.] 1208

BUSINESS OF THE HOUSE.

The Marquess of Lansdowne 1208

The Earl of Crewe... 1208

House adjourned at five minutes past Twelve o'clock, a.m., till a quarter past Four o'clock p.m.

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HOUSE OF COMMONS, MONDAY, 14th DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, &c.

County and Borough Councils (Women Electors).—Return to be printed. [No. 364.] ... 1209

Army Reserve.—Further Regulations for the Army Reserve; to lie upon the Table ... 1209

Army (Territorial Force).—Further Regulations for the Territorial Force; to lie upon the Table ... 1210

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table ... 1210

Treaty Series (No. 33, 1908).—Convention between the United Kingdom and France respecting the Exchange of Post Office Money Orders between France and the Transvaal; to lie upon the Table ... 1210

Colonial Reports (Annual).—Colonial Report No. 589 (British Guiana, Report for 1907–8); to lie upon the Table ... 1210

Labourers (Ireland) Acts.—Return ordered, "showing the number of appeals under the Labourers (Ireland) Acts to the County Courts since the 1st day of November, 1906."

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Pay of Extra Men at Sheffield Post Office ... 1217
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Claim of Mr. W. R. Morgan ... 1218
Housing and Town Planning Bill—Additional Duties on Local Authorities ... 1219
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Application of the Representatives of the late Bernard Dumphy 1234
Reinstatement of Evicted Tenants on the Scrahan Estate 1234
Sale of the Earl of Erne's Estate 1235
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Purchase of Farm of James Brett at Tannerhill 1236
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Housing of the Working Classes (Ireland) Bill.—Reasons for disagreeing to certain of the Lords Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Cherry*).

BUSINESS OF THE HOUSE (PRIVATE BUSINESS).

The Prime Minister and First Lord of the Treasury (*Mr. Asquith, Fifeshire, E.*) 1283

Motion made, and Question proposed, "That the Proceedings on any Private Business set down for consideration at 8.15 this evening, by direction of the Chairmnn of Ways and Means, may be entered upon at any hour, and be not interrupted under any Standing Order regulating the Sittings of the House."—(*Mr. Asquith*).

Mr. A. J. Balfour (*City of London*) 1284
Mr. Asquith 1285
Mr. Keir Hardie (*Merthyr Tydvil*) 1285

Question put, and agreed to.

Ordered accordingly.

Coal Mines (Eight Hours) (No. 2) Bill.—Order for the Third Reading read.
The Secretary of State for the Home Department (*Mr. Gladstone, Leeds, W.*) 1285

Motion made, and Question proposed "That the Bill be now read the Third time (*Mr Gladstone*).

Lord R. Cecil (*Marylebone, E.*) 1288
Viscount Castlereagh (*Maidstone*) 1298

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Lord Robert Cecil*).

Question proposed, "That the word 'now' stand part of the Question."

Mr. E. Edwards (Hanley) 1304
Mr. Russell Rea (Gloucester) 1308
Mr. Lambton (Durham, S.E.) 1310
Mr. Walsh (Lancashire, Ince) 1314
Mr. Beck (Cambridgeshire, Wisbech) 1322
Mr. W. E. Harvey (Derbyshire, N.E.) 1323
Mr. A. J. Balfour (City of London) 1328
The Under Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) 1337
Sir C. J. Cory (Cornwall, St. Ives) 1349
Mr. J. F. Mason (Windsor) 1353
Mr. Markham (Nottinghamshire, Mansfield) 1356
Mr. Samuel Roberts (Sheffield, Ecclesall) 1358

Question put.

The House divided:—Ayes, 264; Noes, 89. (Division List No. 452.)

Main Question put, and agreed to.

Bill read the third time, and passed.

London Electric Supply Bill [LORDS] (BY ORDER.)—As amended, considered.

A Clause (For the protection of the Admiralty and the Royal Observatory), brought up, and read the first and second time, amended, and added to the Bill.

Mr. Morton (Sutherland) 1361

New clause—

"In page 14, after Clause 15, to insert the following clause: Nothing in this Act shall authorise an authorised undertaker to break up or open any street or lay any electric main or other work for the purposes of this Act in or along any street, or part of a street, within the City of London, except with the consent in writing of the Mayor, Aldermen, and Commons of the City of London in Common Council assembled.'"—(*Mr. Morton.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

The President of the Board of Trade (Mr. Churchill, Dundee) 1363
Sir Edwin Cornwall (Bethnal Green, N.E.) 1363
Sir Luke White (Yorkshire E.R., Buckrose) 1364
Mr. Bowles (Lambeth, Norwood) 1364
Mr. Lough (Islington, W.) 1364
Mr. Churchill 1365
Mr. Dickinson (St. Pancras, N.) 1366

Question put.

The House divided:—Ayes, 28; Noes, 198. (Division List No. 453.)

Mr. Churchill 1369

New clause—

"From and after the date when the council gives notice to purchase the undertaking of a supply company it shall not be lawful for that company, except with the consent of the Board of Trade, to increase its charges for a general supply, as defined in the Schedule to the Electric Lighting (Clauses) Act, 1899. If at any time after the aforesaid date the Company makes any higher charge for electricity supplied to any consumer under agreement than had been charged for a similar supply under similar conditions during the period of twelve months immediately preceding that date, the consumer affected may appeal to the Board of Trade who, if they consider that the increase is unreasonable, may make an order requiring the Company to reduce the charge accordingly, and any such order shall be binding on the Company."—(*Mr. Churchill.*)

Brought up and read the first time and added to the Bill.

Mr. Churchill 1369

Amendment proposed—

"In page 3, line 30, at end, to insert the words 'The expression "specified companies," means "the Kensington and Knightsbridge Electric Lighting Company, Limited, the Notting Hill Electric Lighting Company, Limited, the St. James and Pall Mall Electric Light Company, Limited, the Westminster Electric Supply Corporation, Limited, and the Central Electric Supply Company, Limited;" and each of such specified companies is in this Act referred to as a specified company.'"—(*Mr. Churchill.*)

Question proposed, "That those words be there inserted."

Mr. Dickinson 1371
Mr. Churchill 1372

Question put, and agreed to.

Consequential Amendments agreed to.

Mr. Churchill 1374

Amendment proposed—

"In page 4, line 27, at end, to insert the words 'If the specified companies, or any of them, exercise any powers under the provisions of this Act they shall, in respect of the exercise of such powers, be subject to the provisions of this Act to which authorised undertakers would be liable in the exercise of similar powers, and for that purpose the expression 'authorised undertakers' in this Act shall mean and include such specified companies or company.'"—(*Mr. Churchill.*)

Question proposed, "That those words be there inserted."

Mr. Barnard (Kidderminster) 1374

Amendment to the proposed Amendment proposed—

"In page 2, after the word 'provisions,' to insert the words 'or for the purposes.'"—(*Mr. Barnard.*)

Question proposed, "That those words be there inserted."

Question put, and agreed to.

Amendment, as amended, agreed to.

Consequential Amendments agreed to.

Mr. Walter Guinness (Bury St. Edmunds) 1375

Amendment proposed—

"In page 6, line 9, to insert at the end, the words 'and the provisions of this subsection shall extend and apply to the London County Council as if they were a local authority.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Sir Luke White ... 1376
Sir Edwin Cornwall ... 1377
Mr. Churchill ... 1378
Lord R. Cecil ... 1378
Mr. Fletcher (Hampstead) ... 1379

Amendment proposed to the proposed Amendment.

"At the end, to add the words 'without prejudice to the rights, powers, and privileges of any local authority.'"—(*Mr. Fletcher.*)

Question proposed, "That those words be there added to the proposed Amendment."

Mr. Churchill ... 1379
Mr. Bowles ... 1379
Mr. Waterlow (Islington, N.) ... 1381
Mr. H. Gooch (Camberwell, Peckham) ... 1381
Mr. Walter Guinness ... 1382

Question put.

The House divided:—Ayes, 43; Noes, 192. (Division List No. 454.)

Original Question, "That those words be their inserted," again proposed

Mr. Rupert Guinness (Shoreditch, Haggerston) ... 1384

Amendment agreed to.

Consequential Amendments agreed to.

Mr. B. S. Straus (Tower Hamlets, Mile End) ... 1385

Amendment proposed—

"In page 7, line 32, to leave out the words 'six pounds and fifteen,' and to insert the words 'four pounds and ten.'"—(*Mr. B. S. Straus.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Leverton Harris (Tower Hamlets, Stepney) ... 1387
Sir Luke White ... 1387
Mr. Churchill ... 1388

Amendment, by leave, withdrawn.

Mr. Walter Guinness ... 1388

Amendment proposed—

"In page 13, line 25, after the word 'undertakers,' to insert the words 'or a specified company.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Mr. Churchill ... 1389

Amendment, by leave, withdrawn.

Amendments proposed—

"In page 13, line 35, after the word 'ground,' to insert the words 'within the administrative County of London.'"

"In page 14, line 4, after the word 'undertaker,' to insert the words 'or a specified company.'"—(*Mr. Walter Guinness.*)

Amendments agreed to.

Amendment proposed—

"In page 18, lines 16 and 17, to leave out the words 'under the provisions of Section 2 of the Electric Lighting Act, 1888.'"—(*Mr. Walter Guinness.*)

Mr. John Ward (Stoke on-Trent) 1389
Mr. Walter Guinness 1389
Mr. Churchill 1390

Amendment agreed to.

Mr. Walter Guinness 1390

Amendment proposed—

"In page 18, line 39, after the word 'purchase,' to insert the words 'Provided that this subsection shall not apply in respect of any part of the undertaking of the Metropolitan Electric Supply Company which may not in pursuance of this section be purchasable by the Council upon the terms specified in Section 2 of the Electric Lighting Act, 1888.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Mr. Churchill 1391

Amendment proposed—

"In page 19, to leave out lines 1 to 17 (inclusive), and to insert the words '(3) The undertakings of the several London Electric Supply Companies within the County, including any lands, buildings, works, materials, and plant provided or constructed under the powers of this Act shall, if purchased by the Council, be paid for upon the terms specified in Section 2 of the Electric Lighting Act, 1888, provided that if the Council give notice for purchase at the twenty-sixth day of August, one thousand nine hundred and thirty one—(*a*) That part of the undertaking of the Charing Cross, West End, and City Electricity Supply Company, Limited, which is authorised by the City of London Electric Lighting Order, 1899, shall be purchased only upon the terms set forth in the said Order; and (*b*) the City of London Electric Lighting Company, Limited, shall be entitled to such additional compensation as may be agreed upon, or as such agreement being arrived at, the Council or such local authority may appeal to the Board of Trade, who may make such Order as having regard to all the circumstances of the case may appear to them to be expedient. (7) In the event of any purchase under the provisions of this section taking place the Board of Trade may, by Order, modify or adjust the powers exercisable by the Council or any local authority in such manner as may appear expedient, and do anything which appears to them to be necessary to enable the provisions of this section to be carried into effect, and any such Order may modify the provisions of any Act or Provisional Order confirmed by Parliament.'"—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir F. Banbury (City of London) 1394
Mr. Dickinson 1396
Mr. Esslemont (Aberdeen, S.) 1396
Mr. Walter Guinness 1396
Mr. James Parker (Halifax) 1397
Mr. Churchill 1398
Sir Luke White 1398

Amendment agreed to.

Mr. Walter Guinness 1399

Amendment proposed—

"In page 19, line 30, at end, to insert the words '(6) In the event of the Council purchasing an undertaking (or part of an undertaking) in pursuance of powers transferred to or conferred upon them under this section the following provisions shall have effect: (a) The Council and any local authority who, before the passing of this Act, were empowered to purchase such undertaking (or part of an undertaking) may, with the approval of the Board of Trade, enter into and carry into effect an agreement or agreements for the purchase by such local authority from the Council of so much of the distributing system comprised in such undertaking (or part of an undertaking) as may be situate within and used for the supply of the district of such local authority, and as from the date of the purchase effected under any such agreement all such powers as may have been vested in the Council with regard to such system (or part of a system), and the distribution of electrical energy thereby shall be vested in such local authority and shall be exercisable by them in lieu of and in substitution for the Council, and shall cease to be exercisable by the Council.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Mr. Churchill 1400

Amendment, by leave, withdrawn.

Mr. Walter Guinness 1401

Amendment proposed—

"In page 19, line 30, at end, to insert the words 'The Council and any local authority having an electrical undertaking which is being carried on in competition with the undertaking (or part of an undertaking, purchased by the Council as aforesaid may, with the approval of the Board of Trade, enter into and carry into effect an agreement or agreements for the purchase by the Council of the electrical undertaking of such local authority, or any part thereof, and upon any such agreement being entered into, all such powers as may have been exercisable by such local authority in regard to their electrical undertaking or so much thereof as may be purchased by the Council shall be vested in the Council, and shall be exercisable by them in lieu of and in substitution for such local authority, and shall cease to be exercisable by such local authority. In the event of no such agreement being arrived at, the Council or such local authority may appeal to the Board of Trade, who may make such order as, having regard to all the circumstances of the case, may appear to them to be expedient.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Mr. Churchill 1402

Amendment, by leave, withdrawn.

Mr. Walter Guinness 1402

Amendment proposed—

"In page 19, line 20, at the end, to insert the words '(7) In the event of any purchase under the provisions of this section taking place the Board of Trade may, by order, modify or adjust the powers exercisable by the Council or any local authority in such manner as may appear expedient, and do anything which appears to them to be necessary to enable the provisions of this section to be carried into effect, and any such order may modify the provisions of any Act or Provisional Order confirmed by Parliament.' "—(*Mr. Walter Guinness.*)

Mr. Churchill 1403

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 19, line 31, after the word 'The,' to insert the words 'London County.'"—(*Mr. Walter Guinness.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. Walter Guinness 1403

Amendment proposed—

"In page 19, line 32, to leave out the word 'one-half,' and to insert the word 'three-fourths.'"—(*Mr. Walter Guinness.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Churchill 1404

Amendment agreed to.

Amendments proposed—

"In page 20, line 7, after the words 'when the,' to insert the words 'London County.'"

"In page 21, line 2, after the word 'accordingly,' to insert the words 'Provided any supply company requiring the Council to advance money under this section shall satisfy the Council that any money so advanced will be or has been properly expended for the purposes for which the same was advanced.'"—(*Mr. Walter Guinness.*)

Amendments agreed to.

Mr. Churchill 1404

Amendment proposed—

"In page 21, line 19, at the end, to insert the words '(*d*) The Council shall not be obliged to advance any sum to a company under this section unless they are satisfied that there is adequate security for the repayment to them of the sum to be advanced and for the payment of the interest thereon.'"—(*Mr. Churchill.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed—

"In page 21, line 19, at end of clause, to add the words "It shall be lawful for the Council and any of the London Electric Supply Companies to enter into and carry into effect any agreement or agreements with regard to matters dealt with in this section, and any such agreement may contain any provision for the repayment to the Council of any sum which they may advance to a supply company in pursuance of this section, notwithstanding the provisions contained in this section.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there added."

Sir F. Banbury 1406
Mr. Walter Guinness 1406
Lord R. Cecil 1406
Mr. Bonar Law 1407
Mr. Churchill 1407
Mr. A. J. Balfour 1407
Sir Luke White 1408
Mr. Churchill 1408
Mr. Bowles... 1409
The Prime Minister and First Lord of the Treasury (*Mr. Asquith, Fifeshire, E.*)... 1409

Amendment agreed to.

Mr. Walter Guinness 1410

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Amendment proposed—

"After the words last inserted, to insert the words 'Trustees, executors, administrators, and all other holders in any representative or fiduciary capacity of any of the mortgages, debentures, or debenture stock of a supply company, are hereby expressly authorised to give, and shall incur no liability whatsoever for giving or having given, their consent or consents to any such agreement or agreements as may be entered into under this section.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Churchill 1411
Sir F. Banbury 1411

Amendment negatived.

Amendments proposed—

"In page 21, line 20, after the word 'The,' to insert the words 'London County.'"

"In page 21, line 21, after the word 'purchase,' to insert the words 'or loan.'"—(*Mr. Walter Guinness.*)

Amendments agreed to.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read a third time.—(*The Chairman of Ways and Means.*)

Prince of Wales' Consent signified.

Bill read the third time, and passed, with Amendments.

London (Westminster and Kensington) Electric Supply Companies Bill [LORDS] (BY ORDER)

As amended, considered.

New clause—

"If the Admiralty are of opinion that the generation or use of electrical energy under or for the purposes of this Act by the companies injuriously affects, or is likely injuriously to affect, any instrument or apparatus in or adjacent to the Royal Observatory at Greenwich, including the Magnetic Pavilion, or the efficient working of such instrument or apparatus, the Admiralty may, after such inspection and inquiry as they think proper, require that the companies shall use such precautions, including insulated returns, as the Admiralty may deem necessary for the prevention of such injurious affection, and the companies shall forthwith comply with such requisition. For the purpose of this section any person authorised in writing by the Admiralty shall have access at all reasonable times to the works and apparatus of the companies, who shall give all due facilities for the inspection. Provided always, that in the event of any instrument or apparatus hereafter used in the said Observatory which may be of a different character and of materially greater delicacy than those used therein at the passing of this Act, the Admiralty shall consider, and may in their discretion determine, to what extent the powers of this section should be exercised, regard being had to the interests of the public as well as to the purposes of the instruments or apparatus, as the case may be. The Admiralty Suits Act, 1868, shall apply for the purposes of proceedings in regard to any breach of the provisions of this section or for injurious affection of the said Observatory or instruments or apparatus."—(*Mr. Lambert.*)

Brought up and read the first and second time, and added to the Bill.

Dec. 14.] Page

Amendments proposed—

"In page 6, line 6, at end, to insert the words 'In respect of all electric mains to be laid down under the provisions of this section, the London County Council shall (without prejudice to the rights, powers, and privileges of any local authority) have for the purposes of this subsection the same rights, powers, and privileges as if they were the local authority for the district in which such electric lines are to be laid down.'"

"In page 13, line 35, at end, to insert the words '(7) For the purposes of Section 14 of the Schedule to the Electric Lighting (Clauses) Act, 1899, the Council shall have, in addition to any other power, rights, and privileges possessed by them under the said section the same rights, powers, and privileges as if they were the local authority for the administrative County of London.'"—(*Mr. R. Guinness.*)

Amendments agreed to.

Ordered, that Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—[*The Chairman of Ways and Means.*]

Bill accordingly read the third time, and passed, with Amendments ... 1413

North British Railway Order Confirmation Bill (BY ORDER.)- Read the third time, and passed 1413

Crofter's Commons Grazings Bill.—Considered in Committee.

Amendment proposed—

"In page 1, line 12, to leave out from the word 'without,' to the word 'Act' in line 13."—(*Mr. Cochrane.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

The Secretary for Scotland (*Mr. Sinclair, Forfarshire*) 1413
Mr. Cochrane (*Ayrshire, N.*) 1414

Amendment, by leave, withdrawn.

Bill reported, without Amendment; read the third time, and passed.

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—Order for Second Reading read 1414

Motion made, and Question proposed, "That the Bill be now read a second time."

Sir F. Banbury 1414
The Postmaster-General (*Mr. Sydney Buxton, Tower Hamlets, Poplar*) ... 1415
Mr. Harmood Banner (*Liverpool, Everton*) 1415

Question put, and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for To-morrow—(*Mr. Joseph Pease.*)

Post Office Sites (Re-Committed) Bill [LORDS].—Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment 1416

Lunacy Bill [LORDS].—Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease*) 1416

Statutory Law Revision Bill.—Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Question put, and agreed to.

Bill read a second time and committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease.*) 1416

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at sixteen minutes before Twelve o'clock.

HOUSE OF LORDS: TUESDAY, 15TH DECEMBER, 1908.

PRIVATE BILL BUSINESS.

Post Office Sites Bill [H.L.]; London Electric Supply Bill [H.L.]; London (Westminster and Kensington) Electric Supply Companies Bill [H.L.].—Returned from the Commons agreed to, with Amendments 1417

North British Railway Order Confirmation Bill.—Brought from the Commons and read 1ª; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2ª (The Lord Herschell), and reported from the Committee; and to be read 3ª To-morrow. [No. 257] 1417

PETITIONS.

Coal Mines (Eight Hours) (No. 2) Bill.—7 Petitions against; read, and ordered to lie on the Table 1417

RETURNS, REPORTS, &c.

Trade Reports: Annual Series.—No. 4173. Ecuador 1417

Department of Agriculture and Technical Instruction for Ireland.—Report on the Trade in Imports and Exports at Irish Ports during the year ended 31st December, 1907; Eighth Annual General Report of the Department, 1907–1908 1417

Fisheries (Ireland).—Reports of the Department of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland, for the years 1906, 1907, 1908 respectively. (Part II. Scientific Investigations) 1417

India.—Full text of Indian Criminal Law Amendment Act, 1908. Presented, and ordered to lie on the Table 1418

West Highland Railway (Extension from Banavie to Mallaig.)—Seventh Annual Report by the Board of Trade as to the condition and working of the Banavie to Mallaig Railway, the rates and charges for traffic, and the receipts and expenditure of any company in working the railway, for the year 1907–1908.

Laid before the House and ordered to lie on the Table 1418

Crofters' Common Grazings Regulation Bill.—Brought from the Commons and read 1ª; to be printed; and to be read 2ª To-morrow (The Lord Herschell). [No. 256] 1418

BUSINESS OF THE HOUSE.—Moved, That Standing Order No. XXI. be suspended for this day's sitting; and that the Motion for the Second Reading of the Coal Mines (Eight Hours) (No. 2) Bill have precedence over the other Notices and Orders of the Day (The Lord Privy Seal (*E. Crewe*)): agreed to, and ordered accordingly. 1418

Coal Mines (Eight Hours) Bill.—[SECOND READING.]—Order of the Day for the Second Reading read.

The Lord Steward (Earl Beauchamp) 1418

Moved, "That the Bill be now read 2ª."—(*Earl Beauchamp.*)

Lord Newton 1427

Amendment moved—

"To leave out the word 'now,' for the purpose of inserting the following words 'this day three months.'"—(*Lord Newton..*)

Earl Cromer 1439
Lord St. Davids 1447
The Marquess of Lansdowne 1455
Lord Knaresborough 1464
The Earl of Crawford 1472
The Earl of Plymouth 1478
The Marquess of Londonderry 1480
The Under-Secretary of State for War (Lord Lucas) 1493
Viscount St. Aldwyn 1501
Lord Belhaven and Stenton... 1508
The Earl of Durham 1510
The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe 1516

On Question, "That the word 'now' stand part of the clause,"—

Their Lordships divided :—Contents 121 ; Not-content, 44.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

Prevention of Crimes Bill.—Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."—(*Earl Beauchamp.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1 :

Earl Beauchamp 1530

Amendment moved—

"In page 1, line 12, to leave out the words 'antecedents or mode of life,' and to insert the words 'criminal habits or tendencies, or association with persons of bad character.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Earl Beauchamp 1531

Amendment moved—

"In page 1, line 21, after the word 'shall,' to insert the words 'consider any Report or representations which may be made to it by or on behalf of the Prison Commissioners as to the suitability of the case for treatment in a Borstal institution, and shall.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 1, as as amended, agreed to.

Clause 2.

The Earl of Meath 1531

Amendment moved—

"To leave out Clause 2, and to insert the following new clause 'The Secretary of State may, if satisfied that a person sentenced to detention in a reformatory school, whether before or after the passing of this Act, being within the limits of age within which persons may be detained in a Borstal institution might with advantage be detained in a Borstal institution, authorises the managers of the reformatory school in which such person is being detained to transfer him from such reformatory to a Borstal institution, there to serve the whole or any part of the unexpired residue of his sentence, and whilst detained in or placed out on licence from such an institution, this part of this Act shall apply to him as if he had been originally sentenced to detention in a Borstal institution.'"—(*The Earl of Meath.*)

Earl Beauchamp 1532

Amendment, by leave, withdrawn.

Clause 2 agreed to.

Clause 3.

Earl Beauchamp 1533

Amendment moved—

"In page 2, lines 28 and 29, to leave out the words 'sentenced, whether before or after the passing of this Act, to penal servitude or imprisonment,' and to insert the words 'undergoing penal servitude or imprisoned in consequence of a sentence passed either before or after the passing of this Act.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 :

Earl Beauchamp 1533

Amendment moved—

"In page 3, line 11, after the word 'institution,' to insert the words 'and the constitution of a visiting committee thereof.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 :

Earl Beauchamp 1533

Amendment moved—

"In page 4, line 10, after the word 'institution,' to insert the words 'and may commit him to any prison within the jurisdiction of the Court until he can conveniently be removed to the institution.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 5, as amended, agreed to.

New Clause :

Earl Beauchamp 1534

Amendment moved—

"To insert the following new clause : '(1) Every person sentenced to detention in a Borstal institution shall on the expiration of the term of his sentence remain for a further period of six months under

the supervision of the Prison Commissioners. (2) The Prison Commissioners may grant to any person under their supervision a licence in accordance with the last foregoing section, and may revoke any such licence and recall the person to a Borstal institution, and any person so recalled may be detained in a Borstal institution for a period not exceeding three months, and may at any time be again placed out on licence. Provided that a person shall not be so recalled unless the Prison Commissioners are of opinion that the recall is necessary for his protection, and they shall again place him out on licence as soon as possible and at latest within three months after the recall. (3) A licence granted to a person before the expiration of his sentence of detention in a Borstal institution shall, on his becoming liable to be under supervision, in accordance with this section, continue in force after the expiration of that term, and may be revoked in manner provided by the last foregoing section. (4) The Secretary of State may at any time order that a person under supervision under this section shall cease to be under such supervision.'"—(*Earl Beauchamp*).

Earl Russell 1534
Lord Alverstone 1535

On Question, Amendment agreed to.

Clauses 6 to 8 agreed to.

Clause 9 :

Lord Ashbourne 1535

Amendment moved—

"In page 5, line 8, after the word 'offender,' to insert the words 'admits that he is or.'"—(*Lord Ashbourne*).

On Question, Amendment agreed to.

Lord Kinnaird 1535

Amendment moved—

"In page 5, line 9, after the word 'servitude,' to insert the words 'or imprisonment.'"—(*Lord Kinnaird*).

Earl Russell 1536
Earl Beauchamp 1536
Lord Alverstone 1536

Amendment, by leave, withdrawn.

Drafting Amendments agreed to.

Amendment moved—

"In page 6, line 15, after the word 'charge,' to insert the following new subsection : '(5) Without prejudice to any right of the accused to tender evidence as to his character and repute, evidence of character and repute may, if the Court thinks fit, be admitted as evidence on the question whether the accused is or is not leading persistently a dishonest or criminal life.'"—(*Earl Beauchamp*).

On Question, Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10 agreed to.

Earl Beauchamp 1537

Amendment moved—

"After Clause 10, to insert the following new clause : 'Where a person has been sentenced, whether before or after the passing of this Act, to penal servitude for a term of five years or upwards, and he

appears to the Secretary of State to have been a habitual criminal within the meaning of this Act, the Secretary of State may, if he thinks fit, at any time after three years of the term of penal servitude have expired, commute the whole or any part of the residue of the sentence to a sentence of preventive detention, so, however, that the total term of the sentence when so commuted shall not exceed the term of penal servitude originally awarded.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 11 :

Earl Russell 1538

Amendment moved—

"In page 7, line 6, after subsection (3) to insert the following new subsection : '(4) So far as is consistent with the requirements of discipline and the maintenance of order, persons undergoing preventive detention shall enjoy the ameliorating and humanising influences of : (1) Conversation with fellow prisoners ; (2) reading and writing ; (3) visits from approved friends ; (4) windows permitting a view of the sky.' "—(*Earl Russell.*)

Earl Beauchamp 1539
Lord Alverstone 1539

Amendment, by leave, withdrawn.

Clause 11 agreed to.

Clauss 12 :

Earl Beauchamp 1539

Amendment moved—

"In page 8, lines 12 to 18, to leave out subsection (8).' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13 :

Earl Beauchamp 1539

Amendment moved—

"In page 8, line 41, after the word 'detention,' to insert the words 'and may commit him to any prison within the jurisdiction of the Court until he can conveniently be removed to a prison or part of a prison set apart for the purpose of the confinement of persons undergoing preventive detention.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 14 agreed to.

Clause 15 :

Drafting Amendments agreed to.

Clause 15, as amended, agreed to.

Remaining clauses agreed to.

Standing Committee negatived. The Report of Amendments to be received To morrow, and Standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. [No. 258.]

Education (Scotland) Bill.—Read 3ª (according to Order), with the Amendments, and passed, and returned to the Commons 1540

White Phosphorus Matches Prohibition Bill.—Read 3ª (according to Order), and passed.

Local Registration of Title (Ireland) Amendment Bill.—Amendment reported (according to Order), then Standing Order No. XXXIX. considered (according to Order), and dispensed with. Bill read 3ª with Amendment, and passed, and returned to the Commons 1540

Buxton Charity Bill; Long Ashton Charity Bill; Abbots Bromley Charity Bill.—House in Committee (according to Order.) Bills reported without Amendment. Standing Committee negatived, and Bills to be read 3ª To-morrow.

House adjourned at half-past Twelve o'clock a.m., till a quarter past Four o'clock p.m.

HOUSE OF COMMONS: TUESDAY, 15TH DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, ETC.

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, No. 4,173; to lie upon the Table 1541

Department of Agriculture and Technical Instruction for Ireland.—Report on the Trade in Imports and Exports at Irish Ports during the year ended 31st December, 1907; to lie upon the Table 1541

Department of Agriculture and Technical Instruction for Ireland.—Eighth Annual General Report of the Department, 1907–8; to lie upon the Table 1541

Fisheries (Ireland).—Reports of the Departments of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland (Part II. Scientific Investigations) for the years 1906, 1907, and 1908; to lie upon the Table 1541

West Highland Railway (Extension from Banavie to Mallaig).—Seventh Annual Report by the Board of Trade as to the condition and working of the Banavie and Mallaig Railway, the rates and charges for traffic, and the receipts and expenditure of any Company in working the Railway, for the year 1907–8; to lie upon the Table, and to be printed. [No. 365.] 1542

East India (Criminal Law Amendment Act).—A full text of the Indian Criminal Law Amendment Act, 1908; to lie upon the Table 1542

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STANDING ORDERS.—Ordered, That the Standing Orders, as amended, be printed. [No. 366.] ... 1596

Incest Bill.—Lords' Amendments to be considered To-morrow, and to be printed. [Bill 406] ... 1596

Children Bill.—Order for the Consideration of the Lords' Amendments read.

The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) ... 1596

Motion made, and Question proposed, "That the Lords' Amendments be now considered."

Mr. A. J. Balfour (City of London) ... 1597

Question put and agreed to.

Lords’ Amendments considered accordingly.

Lords’ Amendments—

“In page 1, line 9, after the word ‘parents,’ to insert the words ‘or having no parents.’ ”

“In page 2, line 31, after the word ‘thereunder,’ to insert the words “Subject as aforesaid, that Part of this Act shall apply to an infant whose nursing and maintenance has been undertaken for reward before the passing of this Act in like manner as it applies to an infant whose nursing and maintenance has been so undertaken after the commencement of this Act, and as if any notice given under the Infant Life Protection Act, 1897, had been a notice given under this Part of this Act.’ ”

“In page 3, line 17, after the word ‘proper,’ to insert the words “nursing and.’ ”

“In page 3, line 18, after the word ‘their,’ to insert the words ‘nursing and.’ ”

“In page 4, line 12, after the word ‘obstructs,’ to insert the words ‘or causes or procures to be obstructed.’ ”

“In page 4, line 19, after the word ‘Act,’ to insert the words ‘or the Infant Life Protection Act, 1897.’ ”

Agreed to.

Lords’ Amendment—

“In page 4, line 22, after the word ‘insanitary,’ to insert the words ‘or has been removed under the Infant Life Protection Act, 1897, by reason of the premises being so unfit as to endanger its health.’ ”

Mr. Herbert Samuel 1598

Agreed to.

Lords’ Amendments—

“In page 4, line 23, after the word ‘person,’ to insert the words ‘who has been.’ ”

“In page 4, line 24, after the word ‘or,’ to insert the words ‘under the Prevention of Cruelty to Children Act, 1904.’ ”

Agreed to.

Lords’ Amendment—

“In page 4, lines 25 to 27, to leave out the Paragraph (*d*).”

Agreed to.

Lords’ Amendments—

“In page 4, line 28, after the word ‘keeping,’ to insert the words ‘or causing to be kept.’ ”

“In page 5, line 3, to leave out the words ‘its care and maintenance,’ and to insert the words ‘care of it.’ ”

“In page 5, line 12, after the word ‘obstructing,’ to insert the words ‘or causing or procuring to be obstructed.’ ”

“In page 6, line 4, to leave out the words ‘such a person,’ and to insert the words ‘or the benefit of such a person as aforesaid or to any person on his behalf.’ ”

“In page 6, line 5, to leave out the words ‘or other,’ and to insert the words ‘society or.’ ”

“In page 6, line 9, after the word ‘false,’ to insert the words ‘or misleading.’ ”

"In page 6, lines 20 and 21, to leave out the words 'to a fine not exceeding twenty-five pounds or.'"

Agreed to.

Lords' Amendment—

"In page 6, line 22, after the word 'months,' to insert the words 'or to a fine not exceeding twenty-five pounds.'"

Mr. H. J. Tennant (Berwickshire) 1599
Mr. Herbert Samuel 1599

Agreed to.

Lords' Amendments—

"In page 8, line 10, after the word 'fails,' to insert the words 'to take steps.'"

"In page 8, lines 14 and 15, to leave out the words 'to the child or young person,' and to insert the words 'or the likelihood of such suffering or injury to health.'"

"In page 10, line 15, to leave out the word 'habitually.'"

Agreed to.

Lords' Amendment—

"In page 10, line 29, to leave out the word 'encourages.'"

Mr. Herbert Samuel 1600

Agreed to.

Lords' Amendments—

"In page 10, line 30, to leave out the word 'favours,' and to insert the word 'encourages.'"

"In page 10, line 34, to leave out the word 'favoured,' and to insert the words 'caused or encouraged.'"

"In page 10, line 35, after the word 'girl,' to insert the words 'who has been seduced or become a prostitute,' and to leave out the words 'conduced thereto by,' and to leave out the word 'allowing,' and to insert the word 'allowed.'"

"In page 10, line 37, to leave out the word 'notoriously,' and to insert the word 'known.'"

"In page 12, line 19, to leave out the words 'Part of this.'"

"In page 13, line 9, after the word 'and,' to insert the words 'that Court or any Court of like jurisdiction.'"

"In page 14, line 34, to leave out the word 'by,' and to insert the word 'under.'"

"In page 15, line 37, after the word 'Court,' to insert the words 'which made the order or any Court of like jurisdiction.'"

Agreed to.

Lords' Amendment—

"In page 17, line 21, to leave out from the word 'purpose,' to the end of the subsection, and to insert the words 'Provided that such persons shall be either inspectors or assistant inspectors of reformatory and industrial schools, members of the medical profession, or persons of experience in the management and training of children.'"

Read a second time.

Mr. Herbert Samuel 1600

Motion made and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Herbert Samuel.*)

Sir Henry Craik (Glasgow and Aberdeen Universities) 1603
Sir F. Banbury (City of London) 1604
The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) ... 1605
Lord Edmund Talbot (Sussex, Chichester) 1606
Mr. Rawlinson (Cambridge University) 1606
Mr. Napier (Kent, Faversham) 1606
Mr. Stewart Wortley (Sheffield, Hallam) 1607
Sir Francis Channing (Northamptonshire, E.) 1608
Mr. Bowles (Lambeth, Norwood) 1609
Mr. Barrie (Londonderry, N.) 1611

Question put.

The House divided:—Ayes, 198; Noes, 41. (Division List No. 455.)

Lords' Amendment—

"In page 17, line 22, to leave out the words 'two justices,' and to insert the words 'one justice.'"

Agreed to.

Lords' Amendment—

"In page 22, lines 3 and 4, to leave out the words 'and that person did not plead guilty or admit the truth of the information.'"

Agreed to.

Lords' Amendments—

"In page 17, to leave out Clause 34."

"In page 23, line 19, after the word 'person,' to insert the following new subsection: '(3) This Part of this Act shall apply in the case of a child or young person who has, before the commencement of this Act, been committed to the care of a relative or other fit person by an order made under the Prevention of Cruelty to Children Act, 1904, as if the order had been made under this Part of this Act.'"

Agreed to.

Lords' Amendment—

"In page 23, line 30, to leave out the words 'or other person having the powers of a constable and.'"

Mr. Herbert Samuel 1614

Agreed to.

Lords' Amendments—

"In page 23, line 36, to leave out the words 'any other person,' and to insert the words 'a park-keeper.'"

"In page 23, line 37, to leave out the words 'that person,' and to insert the word 'he.'"

"In page 24, line 1, to leave out the words 'Provided that,' and to insert the word 'and,' and after the word 'constable,' to insert the word 'or.'"

"In page 24, lines 1 and 2, to leave out the words 'or other person as aforesaid.'"

"In page 24, line 2, to leave out the word 'not,' and to leave out the word 'person,' and to insert the word 'boy.'"

Agreed to.

Lords' Amendment—

"In page 24, line 3, after the word 'smoking,' to insert the words 'but not a girl.'"

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Read a second time.

Mr. Herbert Samuel 1615

Motion made, and Question proposed, "That this House doth agree with Lords in the said Amendment."

Mr. Jesse Collings (*Birmingham, Bordesley*) 1615
Sir F. Banbury 1615

Question put, and agreed to.

Lords' Amendments—

"In page 24, line 25, to leave out the word 'uniformed.'"

"In page 24, line 26, after the word 'messenger,' to insert the words 'in uniform.'"

"In page 24, line 30, to leave out the word 'any,' and after the word 'material,' to insert the words 'in such form as to be capable of immediate use for smoking.'"

"In page 25, line 25, after the word 'period,' to insert the words 'and, when used in reference to proceedings for the purpose of enforcing an attendance order, includes any person who, by virtue of any enactment, is deemed to be a child for the purposes of the Education Acts, 1870 to 1907.'"

Agreed to.

Lords' Amendment—

"In page 29, line 6, to leave out the words 'Court of Summary Jurisdiction,' and insert the words 'Petty Sessional Court.'"

Mr. Herbert Samuel 1616

Agreed to.

Lords' Amendment—

"In page 29, line 20, to leave out the words 'commute the order to such sentence of imprisonment,' and insert the words 'in lieu of the detention order make such order or pass such sentence.'"

Agreed to.

Lords' Amendments—

"In page 29, lines 21 and 22, to leave out the words 'sentence of imprisonment,' and insert the words 'order or sentence.'"

"In page 29, line 22, to leave out the words 'awarded for,' and insert the words 'made or passed in respect of.'"

Agreed to.

Lords' Amendment—

"In page 30, lines 10 and 11, to leave out the words 'other than the mother of the child.'"

Read a second time.

Mr. Herbert Samuel 1617

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Sir F. Banbury 1619
Mr. Hugh Law (*Donegal, W.*) 1621
Mr. H. J. Tennant 1621
Mr. Stuart Wortley 1621
Mr. Cherry... 1622
Mr. Power (*Waterford, E.*) 1622
Mr. Maclean (*Bath*) 1622

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Mr. Byles (Salford, N.) 1623
Mr. Cochrane (Ayrshire, N.) 1623
Mr. Herbert Samuel 1623

Question put, and agreed to.

Consequential Amendment made—

"In page 30, line 20, at the end, by inserting 'provided that a child shall not be treated as coming within the description contained in paragraph (f) if the only common or reputed prostitute whose company the child frequents is the mother of the child and she exercises proper guardianship and due care to protect the child from contamination.'"—(*Mr. Herbert Samuel.*)

Lords Amendments—

"In page 30, line 17, to leave out the word 'child,' and to insert the word 'person.'"

"In page 30, line 22, after the word 'Court,' to insert the words 'of Assize or Quarter Sessions or a Petty Sessional Court.'"

"In page 30, line 29, to leave out the words 'Court of Summary Jurisdiction,' and to insert the words 'Petty Sessional Court.'"

"In page 31, line 29, to leave out the words 'Court of Summary Jurisdiction,' and to insert the words 'Petty Sessional Court.'"

"In page 31, line 20, to leave out the words 'young person,' and to insert the words 'person apparently of the age of fourteen or fifteen years.'"

"In page 32, after Clause 60, to insert Clause (*a*): '(*a*) Where under the provisions of this Part of this Act an order is made for the committal of a child or young person to the care of a relative or other fit person named by the Court, the Court may, in addition to such order, make an order under the Probation of Offenders Act, 1907, that the child or young person be placed under the supervision of a probation officer. Provided that the recognizance into which the child, if not charged with an offence, or the young person is required to enter, shall bind him to appear and submit to the further order of the Court.'"

"In page 32, line 30, to leave out the words 'herein-after,' and to insert the words 'in this Act."

"In page 33, line 2, after the word 'shall,' to insert the words 'subject to the provisions of this Act with respect to the determination of the place of residence of a youthful offender or child.'"

"In page 34, line 34, to leave out the words 'or a Court of Summary Jurisdiction.'"

"In page 34, line 35, to leave out the words 'or a Court of Summary Jurisdiction.'"

"In page 36, line 27, after the word 'liable,' to insert the words 'on summary conviction.'"

Agreed to.

Lords Amendment—

"In page 38, line 28, after the word 'service,' to insert the words 'including service in the Navy or Army.'"

Agreed to.

Lords Amendments—

"In page 40, lines 32 and 33, to leave out the words 'to a fine not exceeding twenty pounds.'"

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"In page 40, line 34, after the word 'labour,' to insert the words 'or to a fine not exceeding twenty pounds.'"

"In page 41, line 28, after the word 'imposed,' to insert the words 'under this section,' and after the word 'local,' to insert the word 'education.'"

"In page 41, lines 28 and 29, to leave out the words 'under this section.'"

"In page 42, line 4, after the word 'local,' to insert the word 'education.'"

"In page 42, line 10, to leave out the words 'or a Court of Summary Jurisdiction," and after the word 'local,' to insert the word 'education.'"

"In page 42, line 14, after the word 'authority,' to insert the words 'that is to say, as respects reformatory schools, the council of a county or county borough, and as respects industrial schools, a local education authority.'"

"In page 42, line 34, to leave out from the word 'authority,' to the word 'a' in line 38."

"In page 43, line 17, to leave out the word 'be,' and to insert the word 'continue.'"

"In page 43, lines 17 and 18, to leave out the words 'in the school in which he is for the time being detained,' and to insert the words 'in the event of his transfer to another certified school.'"

"In page 45, line 18, after the word 'Act,' to insert as a new subsection: '(18) As respects the City of London the Common Council shall, notwithstanding anything in this section, be the local authority liable for providing for the reception and maintenance in a certified reformatory school of a youthful offender committed by a Petty Sessional Court acting in and for the City. Provided that nothing in this provision shall exempt the City of London from contributing towards the expenses incurred by the London County Council in respect of reformatory schools, but the London County Council shall in each year repay to the Common Council for each youthful offender maintained by that Council a sum equal to the average cost to the London County Council in that year of the maintenance of a youthful offender in a reformatory school for whose maintenance the London County Council are responsible, which cost shall be ascertained in accordance with the directions of the Secretary of State.'"

Agreed to.

Lords Amendment—

"In page 45, line 19, to leave out the words 'for the time being.'"

Agreed to.

Lords Amendments—

"In page 46, line 26, after the word 'made,' to insert the words 'or any Court of like jurisdiction.'"

"In page 47, lines 6 and 7, to leave out the words 'for the time being.'"

"In page 47, line 31, to leave out the word 'three,' and to insert the words 'Provided that.'"

"In page 50, line 2, to leave out from the word 'pay' to the end of the clause.'"

"In page 51, line 18, after the word 'summons,' to insert the word 'issued,' and after the word 'notice' to insert the word 'given.'"

In page 52, line 35, after the word 'Officer,' to insert the words 'of the school.'"

"In page 52, line 36, to leave out the words 'of the school.'"

Agreed to.

Lords Amendment—

"In page 53, line 10, to leave out from the word 'passed' to the end of the clause."

Agreed to.

Lords Amendments—

"In page 53, line 21, to leave out the words 'Part of this.'"

"In page 53, line 22, after the word 'by' to insert the words 'or liability imposed on.'"

Agreed to.

Lords Amendment—

"In page 53, line 23, after the word 'child,' to insert the words 'or prevent any local authority from continuing to make any contribution which they were making before the commencement of this Act.'"

Mr. Herbert Samuel 1627

Agreed to.

Lords Amendments—

"In page 56, line 8, after the word 'revoked,' to insert the words 'by any Court of Summary Jurisdiction acting in or for the place in or for which the Court which made the order acted.'"

"In page 59, line 6, to leave out the words 'child or young.'"

"In page 59, line 7, after the word 'state," to insert the words 'under the last two foregoing sections of this Act.'"

"In page 61, line 10, to leave out the words 'committed to,' and to insert the words 'detained in.'"

"In page 61, line 11, to leave out the words 'committed to,' and to insert the words 'detained in.'"

"In page 61, line 27, after the word 'bring,' to insert the words 'a person.'"

Agreed to.

Consequential Amendment made—

"In page 61, line 28, by inserting after the word 'coming,' the words 'or as being a person who if a child would come.'"—(*Mr. Herbert Samuel.*)

Lords Amendment—

"In page 61, line 33, after the word 'Court' to insert the words 'in like manner as if he had been apprehended.'"

Agreed to.

Lords Amendment—

"In page 62, line 4, after the word 'country,' to insert the words '(12) The Local Government Board may by Order transfer from the Metropolitan Asylums Board to the London County Council any buildings provided by the Metropolitan Asylums Board for the purpose of remand homes under Section 4 of the Youthful Offenders Act, 1901, together with any liabilities incurred by the Metropolitan Asylums Board in connection with such buildings, and on such transfer the buildings shall become places of detention for the purposes of this Part of this Act, and the order may also provide for the transfer of any officers employed by the Metropolitan Asylums Board in connection with such remand homes, and for securing to such officers any rights as to pension or otherwise to which they may be entitled.' "

Mr. Herbert Samuel 1628

Agreed to.

Lords Amendments—

"In page 62, line 15, to leave out the word 'to,' and insert the word 'in,' and to leave out the word 'committed,' and to insert the word 'detained.' "

"In page 62, line 20, to leave out the words 'committed to,' and insert the words 'detained in.' "

"In page 63, line 3, after the word 'standing,' to insert the word 'joint.' "

Agreed to.

Lords Amendment—

"In page 63, line 16, after the first word 'and,' to insert the words 'a Court of Summary Jurisdiction so sitting in this Act referred to as a Juvenile Court. (2) Where in the course of any proceedings in a Juvenile Court it appears to the Court that the person charged or to whom the proceedings relate is of the age of sixteen years or upwards, or where in the course of any proceedings in any Court of Summary Jurisdiction other than a Juvenile Court, it appears that the person charged or to whom the proceedings relate is under the age of sixteen years, nothing in this section shall be construed as preventing the Court, if it thinks it undesirable to adjourn the case, from proceeding with the hearing and determination of the case.' "

Mr. Herbert Samuel 1628

Lords' Amendments—

"In page 63, lines 16 and 17, to leave out the words 'children and young persons,' and to insert the words 'persons apparently under the age of sixteen years."

"In page 63, line 20, to leave out the words 'child or young persons, and to insert the words 'person apparently under the age of sixteen years.' "

"In page 63, line 1, to leave out the words 'At any such hearing,' and to insert the words 'In a Juvenile Court.' "

Agreed to.

Lords Amendment—

"In page 63, line 33, after the word 'order,' to insert the words 'and where such an order is made the London County Council shall, if so required by the Secretary of State, provide the necessary accommodation for the purpose at any place of detention provided by the Council upon such terms as to payment and otherwise as may be agreed between the Secretary of State and the Council, or, in default of Agreement, as may be settled by the Treasury. (6) Where it is proved to the satisfaction of the Secretary of State that arrangements cannot be made for the purpose of complying with this section in any place by the first day of April, nineteen hundred and nine, the Secretary of State may by order postpone the coming into operation of this section as respects that place until such date, not later than the first day of January, nineteen hundred and ten, as may be specified in the order.' "

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Read a second time.

Mr. Herbert Samuel 1629

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Sir F. Banbury 1630
Mr. Herbert Samuel 1630

Question put, and agreed to.

Lords Amendment—

"In page 64, line 14, to leave out the word 'January,' and to insert the word 'April.'"

Mr. Herbert Samuel 1630

Agreed to.

Lords Amendments—

"In page 64, line 21, after the word 'where,' to insert the words 'a person who, in the opinion of the Court is.'"

"In page 65, line 9, to leave out the words 'can prove,' and to insert the words 'proves.'"

Agreed to.

Lords Amendment—

"In page 65, line 15, to leave out the words 'unfit to have care of,' and to insert the words 'not to be exercising proper guardianship over.'"

Agreed to.

Consequential Amendment made—

"In page 65, line 15, by leaving out the words 'to be.'"—(*Sir Henry Craik.*)

Lords Amendment—

"In page 65, line 26, after the word 'Part,' to insert the words '(3) Without prejudice to the requirements of the Education Acts, 1870 to 1907, as to school attendance or to proceedings thereunder, this section shall not apply during the months of April to September, inclusive, to any child whose parent or guardian is engaged in a trade or business of such a nature as to require him to travel from place to place, and who has obtained a certificate of having made not less than two hundred attendances at a public elementary school during the months of October to March immediately preceding, and the power of the Board of Education to make regulations with respect to the issue of certificates of due attendance for the purposes of the Education Acts, 1870 to 1907, shall include a power to make regulations as to the issue of certificates of attendance for the purposes of this section.'"

Read a second time.

Mr. Herbert Samuel 1632

Motion made and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Viscount Morpeth (Birmingham, S.) 1632
Mr. Herbert Samuel 1633
Sir F. Banbury 1633

Question put, and agreed to.

Lords Amendment—

"In page 65, line 29, to leave out the words 'or nurse.'"

Agreed to.

Lords Amendment—

"In page 65, line 32, after Clause 119, to insert new Clause (B): '(*b*) (1) The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises, except during the hours of closing. (2) If the holder of a licence acts in contravention of this section, or if any person causes or procures, or attempts to cause or procure, any child to go to or to be in the bar of any licensed premises except during the hours of closing, he shall be liable, on summary conviction, to a fine not exceeding, in respect of the first offence, forty shillings, and in respect of any subsequent offence, five pounds. (3) If a child is found in the bar of any licensed premises, except during the hours of closing, the holder of the licence shall be deemed to have committed an offence under this section unless he shows that he has used due diligence to prevent the child being admitted to the bar. (4) Nothing in this section shall apply in the case of a child who is resident, but not employed in the licensed premises or in the case of premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary. (5) In this section the bar of licensed premises means any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor, and the expressions "licence" and "licensed premises" have the same meaning as in the Licensing Acts, 1828 to 1906.'"

Read a second time.

Mr. Fell (*Great Yarmouth*) 1634
Mr. Renwick (*Newcastle-on-Tyne*) 1636

Amendment proposed to the Lords Amendment—

"In line 1, to leave out subsection (1).—(*Mr. Fell.*)

Question proposed, "That the words proposed to be left out, to the word 'to,' in line 2, stand part of the Lords Amendment."

Mr. Herbert Samuel 1637
Mr. Jesse Collings 1641
Mr. Leif Jones (*Westmoreland, Appleby*) 1643
Mr. Bertram (*Hertfordshire, Hitchin*) 1647
Mr. Maclean 1648
Mr. Mitchell-Thomson (*Lanarkshire, N.W.*) 1649
Mr. Rees (*Montgomery Boroughs*) 1651
Mr. Stuart Wortley 1653
Sir J. Jardine (*Roxburghshire*) 1654
Mr. Hunt (*Shropshire, Ludlow*) 1655
Mr. Hamar Greenwood (*York*) 1656
Mr. Carlile (*Hertfordshire, St. Albans*) 1657
Sir F. Banbury 1658

Amendment to the Lords Amendment, by leave, withdrawn.

Mr. Fell 1658
Sir F. Banbury 1660

Amendment proposed to the Lords Amendment—

"In line 2, after the word 'child,' to insert the words 'unless in the charge of a parent, or adult relative, or person acting in the place of a parent.'"—(*Mr. Fell.*)

Question proposed, "That those words be there inserted."

Mr. Herbert Samuel 1662

Question put.

The House divided:—Ayes 17; Noes, 192. (Division List No. 456.)

Mr. Whitbread (Huntingdonshire, Huntingdon) 1663
Mr. Mooney (Newry) 1666

Amendment proposed to the Lords Amendment—

"In line 3, at the end, to insert the words 'or, for the purpose of fetching intoxicating liquor for consumption off the premises subject to the provisions of the Intoxicating Liquor (Sale to Children) Act, 1901.'"—(*Mr. Whitbread.*)

Question proposed, "That those words be there inserted."

Mr. Herbert Samuel 1666
Mr. Cave (Surrey, Kingston) 1669
The Solicitor-General (Sir S. Evans, Glamorganshire, M.d.) 1670
Mr. Gretton (Rutland) 1671

Question put.

The House divided:—Ayes, 19; Noes, 173. (Division List No. 457.)

Mr. Cave 1675
Mr. Gretton 1677

Amendment proposed to the Lords Amendment—

"In line 4, after the word 'licence,' to insert the word 'knowingly.'"—(*Mr. Cave.*)

Question proposed, "That the word 'knowingly' be there inserted."

Sir S. Evans 1677
Mr. Bertram 1679
Mr. Herbert Samuel 1680

Amendment to the Lords Amendment negatived—

Lords Amendment amended by inserting—

"In line 15, at the end, the words 'or that the child was apparently a person over the age of fourteen.'"—(*Mr. Herbert Samuel.*)

Amendment agreed to.

Mr. Herbert Samuel 1680

Amendment proposed to the Lords Amendment—

"In line 16, after the word 'apply,' to insert the words 'in the case of any child of the licence-holder or.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

Viscount Helmsley (Yorkshire, N.R., Thirsk) 1680

Amendment to the Lords Amendment agreed to.

Mr. Herbert Samuel 1681

Amendment proposed to the Lords Amendment—

"In line 17, after the word 'premises,' to insert the words 'or who is in the bar of licensed premises solely for the purpose of passing through in order to obtain access to some other part of the premises, not being a bar, where there is no other convenient means of access to that part of the premises.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

Mr. Charles Roberts (Lincoln) 1681
Mr. Gulland (Dumfries Burghs) 1682

Mr. Gretton ... 1682
Sir Francis Channing ... 1682
Mr. Rees ... 1683
Mr. Cherry ... 1683
Mr. Jesse Collings ... 1684

Amendment to the Lords Amendment, agreed to.

Amendment made to the Lords Amendment—

"By inserting in line 3 of subsection (4), after the word 'of,' the words 'railway refreshment rooms, or other.'"—(*Mr. Herbert Samuel.*)

Sir D. Goddard (Ipswich) ... 1684
Mr. Whitbread ... 1685

Amendment proposed to the Lords Amendment—

"In line 22, to leave out the words 'or any part of the premises.'"—(*Sir D. Goddard.*)

Question proposed, "That the words proposed to be left out stand part of the Lords Amendment."

Mr. Herbert Samuel ... 1687
Viscount Helmsley ... 1687
Mr. Rees ... 1689

Question put.

The House divided:—Ayes, 166; Noes. 34. (Division List No. 458.)

Mr. Hunt ... 1691

Amendment proposed to the Lords Amendment—

"In line 22 to leave out the words 'exclusively or mainly,' in order to insert the words 'not entirely.'"—(*Mr. Hunt.*)

Question proposed, "That the words proposed to be left out stand part of the Lords Amendment."

Mr. Herbert Samuel ... 1692

Amendment to the Lords Amendment negatived.

Mr. Rawlinson ... 1693
Mr. Gretton ... 1694

Amendment proposed to the Lords Amendment—

"In line 23, after the word 'liquor,' to insert the words 'but does not mean any bar in a room usually used for the supply of meals.'"—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed be there inserted."

Mr. Herbert Samuel ... 1694
Mr. Hugh Law ... 1696
Mr. Verney (Bucks, N.) ... 1696
Mr. Rawlinson ... 1697

Question put.

The House divided:—Ayes, 31; Noes, 182. (Division List No. 459.)

Colonel Warde (Kent, Medway) ... 1699

Amendment proposed to the Lords Amendment—

"At the end to add the words '(6) These provisions shall not apply to the holder of a licence of any licensed premises otherwise than in any urban area.'"—(*Colonel Warde.*)

Question proposed, "That those words be there added."

Mr. Herbert Samuel ... 1699

Amendment negatived.

Mr. Rawlinson 1700

Lords Amendment, as amended, agreed to.

Lords Amendment—

"In page 68, lines 1 and 2, to leave out the words 'Before making any order under this Act with respect to,' and to insert the words 'Where a person is brought before any Court, whether charged with an offence or not, and it appears to the Court that he is,'"—read a second time, and amended, by inserting, after the word "person," the words "whether charged with an offence or not," and by leaving out the words "whether charged with an offence or not," and inserting the words "otherwise than for the purpose of giving evidence."—(*Mr. Herbert Samuel.*)

Lords Amendment, as amended, agreed to.

Lords Amendments—

"In page 68, line 3, to leave out the words 'the person alleged to be a child or young,' and to insert the word 'that.'"

"In page 68, line 5, to leave out the words 'the order when made,' and to insert the words 'an order or judgment of the Court.'"

"In page 68, line 9, to leave out the words 'alleged to be a child or young person,' and to insert the words 'so brought before it.'"

"In page 68, line 10, after the word 'person,' to insert the words 'and when it appears to the Court that the person so brought before it is of the age of sixteen years or upwards, that person shall for the purposes of this Act be deemed not to be a child or young person.'"

Agreed to.

Lords Amendment—

"In page 68, line 25, to leave out the words 'by or.'"

Read a second time.

Mr. Herbert Samuel 1701

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Mr. Gretton 1701

Lords Amendment agreed to.

Lords Amendment—

"In page 68, line 31, to leave out the words 'by or.'"

"In page 70, line 12, to leave out the words 'Petty Sessional Court or.'"

"In page 70, line 13, after the word 'jurisdiction,' to insert the words 'whether a Petty Sessional Court or not.'"

"In page 70, line 18, to leave out the words 'Petty Sessional Courts and.'"

"In page 71, line 4, after the word 'person,' to insert the words 'The expression "common council" means the mayor, aldermen, and commons of the City of London in common council assembled.'"

"In page 71, line 8, after the word 'fund,' to insert the words 'as respects the City of London, mean the common council and the fund out of which the expenses of the city police are defrayed, and elsewhere.'"

"In page 71, line 40, after the word 'Scotland," to insert the words 'shall be substituted for the Local Government Board and.'"

"In page 71, lines 40 and 41, to leave out the words 'be substituted for the Local Government Board,' and to insert the words 'for the purposes of Part I. of this Act, have the same powers of making inquiries, calling for returns, and applying to the Court of Session as they have for the purposes of the Poor Law (Scotland) Act, 1845.'"

"In page 73, line 9, after the word 'sat,' to insert the words 'and any similar expression.'"

Agreed to.

Lords Amendment—

"In page 73, line 34, after the word '1890,' to insert the words 'Provided that, in the case of a royal, parliamentary or police burgh, the expression 'police authority' where occurring in Section 58 and in Section 120 of this Act, means the town council; [and provided further, that where in any such burgh expenses chargeable to the police fund or as part of the current expenses of a police authority would, under the existing law, be payable out of the burgh general assessment, expenses so chargeable under the provisions of this Act shall be defrayed as expenses incurred by a town council under Section 74 of this Act]'"

Read a second time.

The Lord Advocate (*Mr. Thomas Shaw, Hawick Burghs*) 1702

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Lord R. Cecil 1703

Lords Amendment agreed to.

Lords Amendment—

"In page 73, line 41, after the word '1907,' to insert the words 'and to any section thereof.'"

Agreed to.

Lords Amendment—

"In page 74, line 5, after the word '1864," to insert the words 'and the reference to the Licensing Acts, 1828 to 1906, as a reference to the Licensing Acts, 1828 to 1906, as a reference to the Licensing (Scotland) Act, 1903, provided that the expression "holder of a licence" means holder of a certificate under the last-mentioned Act.'"

Mr. Thomas Shaw 1703

Lords Amendments disagreed to.

Amendment made to the Bill—

"Instead of the words so disagreed to, by inserting in page 74, line 5, after '1864,' the words 'and references in section one hundred and nineteen and section one hundred and twenty to a licence, to licensed premises, and to intoxicating liquor, respectively, as references to a certificate, to certificated premises, and to excisable liquor, with the meaning of the Licensing (Scotland) Act, 1903.'"—(*The Lord-Advocate.*)

Subsequent Lords Amendments to the Amendment in page 77, line 8, agreed to.

Lords Amendment—

"In page 77, line 8, after the word 'Scotland,' to insert as a new subsection—'(24) Subject to the provisions hereinafter contained, nothing in this Act shall be construed to repeal, alter, prejudice, or affect any, of the provisions of the Glasgow Juvenile Delinquency Prevention and Repression Acts, 1878 and 1896 (hereinafter referred to as the Glasgow Acts, and the Commissioners and the directors acting under the Glasgow Acts shall continue to have the full rights, privileges, and powers at present competent to them. Provided, nevertheless, that the Secretary for Scotland may, by order under his hand, provide for altering, amending, or adapting the Glasgow Acts so as to provide: (*a*) For the retiral of the existing directors, for the reconstitution of the board of directors, for the election of new directors, for subsequent elections of directors, for the annual retiral of one-third or other proportion of the directors, and for supplying vacancies arising from time to time; [(*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of Section 74 of this Act, instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments]; (*c*) for authorising the said directors to grant securities over all lands and heritages vested in them, including school houses; (*d*) for raising the age up to which, under the Glasgow Acts, a child may, upon the request of the school board, if the Court think it expedient, be sent to a certified day industrial school from thirteen years to fourteen years, and for providing that any order for payment of contributions by a parent under the Glasgow Acts shall be enforceable as a decree for aliment; and (*e*) for otherwise altering, amending, or adapting the provisions of the Glasgow Acts, as may seem to him necessary to make those provisions conform with the provisions of this Act, or to enable the powers under the Glasgow Acts to be exercised as if they were powers under this Act. Any such order may be revoked and varied by a subsequent order. (25) The immediately preceding subsection shall apply to the Aberdeen Reformatories and Industrial Schools Act, 1885, as if it were herein re-enacted with the omission of the portions thereof under the headings (*b*), (*c*), and (*d*), and with the substitution of the last-mentioned Act for the Glasgow Acts.' "

Read a second time.

Amendment proposed to the Lords Amendment—

"In line 14, to insert at the end thereof, the words '(*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of section seventy-four of this Act, instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments.' "—(*The Lord-Advocate.*)

Question proposed, "That those words be there inserted."

Mr. Gulland (Dumfries Burghs) 1705

Question put, and agreed to.

Lords Amendment, as amended, agreed to.

Lords Amendment—

"In page 78, line 31, to leave out the word 'thirteen,' and to insert the word 'fourteen.' "

Agreed to.

Lords Amendment—

"In page 79, line 8, after the word 'apply,' to insert the following new subsection: '(17) The exemptions from Part I. of this Act, contained in section eleven thereof shall extend to any person who undertakes for reward the nursing and maintenance of such infants only as are boarded-out with him by some religious or charitable society or institution approved by the Local Government Board for Ireland.'"

Read a second time.

Mr. Power 1706

Amendment proposed to the Lords Amendment—

"In line 3, after the word 'infants,' to insert the words 'or infant.'"—(*Mr. Power.*)

Question proposed, "That those words be there inserted."

Mr. Cherry 1707
Mr. Boland 1707
Mr. Herbert Samuel 1707

Amendment, by leave, withdrawn.

Lords Amendment disagreed to.

Lords Amendment—

"In page 82, line 20, after the word 'evidence,' to insert as a new subsection the words '(30) The Licensing (Ireland) Acts, 1853 to 1905, shall be substituted for the Licensing Acts, 1828 to 1906.'"

Read a second time.

Mr. Cherry 1708

Lords Amendment disagreed to.

Amendment proposed to the Bill—

"Instead of the words 'so disagreed to,' in page 82, line 29, at the end, to insert the words—'(30) The provisions of Section one hundred and twenty of this Act (relative to the exclusion of children from bars of licensed premises) shall not apply in the case of any child going to or being upon licensed premises if a substantial part of the business carried on upon the premises is a drapery, grocery, hardware, or other business wholly unconnected with the sale of intoxicating liquor, and the child, or the person (if any) in whose custody the child is, goes to or is upon the premises for the purpose of purchasing goods other than intoxicating liquor; and the reference in the said section to the Licensing Acts, 1828 to 1906, shall be construed as a reference to the Licensing (Ireland) Acts, 1833 to 1905.'"—(*Mr. Cherry.*)

Question proposed, "That those words be there inserted."

Sir F. Banbury 1709
Mr. Mooney 1709
Lord Balcarres 1710
Mr. Herbert Samuel 1710
Mr. Bowles 1711
Mr. C. B. Harmsworth (*Worcestershire, Droitwich*) 1711
Mr. Barrie 1711
Mr. Hugh Law 1712
Mr. J. MacVeagh (*Down, S.*) 1712

Amendment proposed to the proposed Amendment—

"In line 8, after the word 'liquor,' to insert the words 'for consumption on the premises.'"—(*Mr. Hugh Law.*)

Question proposed, "That those words be there inserted."

Mr. Cherry 1713
Sir F. Banbury 1713
Mr. Swift MacNeill (Donegal, S.) 1714
Sir Henry Craik 1715
Mr. Kettle (Tyrone, E.) 1716
Mr. Mitchell-Thomson 1717

Amendment to the Amendment agreed to.

Question put, "That those words as amended, be there inserted."

The House divided:—Ayes, 143; Noes, 26. (Division List No. 460.)

Lords Amendment—

"In page 82, line 24, to leave out the word 'January,' and to insert the word 'April.'"

Agreed to.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of: The Lord-Advocate, Mr. Attorney-General for Ireland, Mr. Hugh Law, Mr. Herbert Samuel, and Lord Edmund Talbot.

Three to be the quorum.

To withdraw immediately.—(*Mr. Herbert Samuel*).

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—Considered in Committee.

(In the Committee.)

[Mr. CALDWELL (Lanarkshire, Mid.) in the Chair.]

Clause 1:

Mr. Bowles (Lambeth, Norwood) 1721
The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) ... 1721

Clause agreed to.

Bill reported, without Amendment; and read the third time, and passed.

Post Office Consolidation Bill [LORDS.]—Order for Second Reading Read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Henniker Heaton (Canterbury) 1722
Mr. Bowles 1723

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months'"—(*Mr. Henniker Heaton.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. Sydney Buxton 1724

Amendment negatived.

Main Question, put and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for To-morrow.—(*Mr. J. A. Pease.*)

Companies Consolidation Bill [LORDS].—Considered in Committee.

(In the Committee.)

Dec. 15.] Pag

Clause 1:

Mr. Joynson Hicks (*Manchester, N.W.*) 172
The President of the Board of Trade (*Mr. Churchill, Dundee*) 1726
Mr. Stuart Wortley 1729
Mr. Theodore Taylor (*Lancs*, *Radcliffe*) 1729
Mr. Joynson Hicks 1729
The Parliamentary Secretary to the Treasury (*Mr. J. A. Pease, Essex, Saffron Walden*) 1729
Mr. Forster (*Kent, Sevenoaks*) 1730

Clauses 1–93 agreed to.

Clause 94:

Mr. Churchill 1731
Mr. Bowles 1731
Mr. Cherry 1731

Question, "That Clause 94 be added to the Bill," put and negatived.

Clause 95:

Amendment proposed—

"In page 57, line 13, to leave out subsection (2)."—(*Mr. Churchill.*)

Question put, and agreed to.

Question, "That the clause, as amended, stand part of the Bill," put, and agreed to.

Clauses 96 to 101 agreed to.

Clause 102:

Amendment proposed—

"In page 59, line 17, after the word 'and,' to insert the words 'the register of mortgages shall also be open to the inspection.'"—(*Mr. Churchill.*)

Question put, and agreed to.

Clause, as amended, agreed to.

Clauses 103 to 203 agreed to.

Clause 204:

Amendments proposed—

"In page 105, line 29, after the word 'sections' to insert the words 'one hundred and forty-seven.'"—(*Mr. Churchill.*)

"In page 105, lines 30 and 31, to leave out the words 'one hundred and fifty.'"—(*Mr. Churchill.*)

"In page 105, line 31, after the word '(10),' to insert the words 'one hundred and fifty-two.'"—(*Mr. Churchill.*)

"In page 105, line 35, to leave out from the word 'sixty-two,' to the word 'but,' in line 37, and to insert the words 'one hundred and seventy-three, and one hundred and seventy-five.'"—(*Mr. Churchill.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 205 to 274 agreed to.

Clause 275:

Amendment proposed—

"In page 144, line 4, to leave out from the word 'which,' to the word 'establishes,' in line 6."—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Cave 1733
Mr. Cherry 1733
Mr. Courthope (Sussex, Rye) 1733
Mr. Bowles 1734
Mr. Cherry 1734

Amendment agreed to.

Amendments proposed—

"In page 144, line 7, to leave out from the second word 'within,' to the word 'one,' in line 8."—(*Mr. Churchill.*)

"In page 144, line 9, to leave out the words 'as the case may be.'"—(*Mr. Churchill.*)

Agreed to.

Clause, as amended, agreed to.

Clauses 276 to 295 agreed to.

Clause 296 :

Amendment proposed—

"In page 153, line 13, to leave out the word 'January,' and to insert the word 'April.'"—(*Mr Churchill.*)

Agreed to.

Clause, as amended, agreed to.

Mr. Churchill 1735

Amendment proposed—

"In page 144, after Clause 275, to insert the following clause: 'A company incorporated in a British Possession which has filed with the registrar of companies the documents and particulars specified in paragraphs (*a*), (*b*), and (*c*) of subsection (1) of the last foregoing section shall have the same power to hold lands in the United Kingdom as if it were a company incorporated under this Act.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 1 :

Amendments proposed—

"In page 169, line 24, after the word 'sections,' to insert the words 'one hundred and twelve and.'"

"In page 169, lines 24 and 25, to leave out the words 'and one hundred and fourteen.'"—(*Mr. Churchill.*)

Amendments agreed to.

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Schedule 3 :

Amendments proposed—

"In page 179, line 23, after the word 'Companies,' to insert the word '(Consolidation).'"

"In page 180, line 3, after the word 'sections,' to insert the words 'one hundred and twelve and.'"

"In page 180, line 3, to leave out the words 'and one hundred and fourteen.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 3, as amended, agreed to.

Schedule 4 agreed to.

Schedule 5:

Amendment proposed—

> "In page 187, to leave out line 15."—(*Mr. Churchill.*)

Agreed to.

Schedule 5, as amended, agreed to.

Schedule 6:

Amendment proposed—

> "In page 189, line 15, at end, to insert the words '8 Edw. VII., c. 12—The Companies Act, 1908—The whole Act.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 6, as amended, agreed to.

Bill reported; as amended, to be considered To-morrow.

Criminal Appeal (Amendment) Bill [LORDS].—Not amended (in the Standing Committee) considered.

Amendment proposed—

> "In page 1, line 12, at end, to add the words '(2) The power to provide additional staff for the Registrar of the Court of Criminal Appeal includes a power to appoint an assistant registrar, but any assistant registrar so appointed shall be either a Master of the Supreme Court acting in the King's Bench Division, or a practising barrister of not less than seven years standing, and shall be appointed by the Lord Chief Justice of England.'"—(*The Attorney-General.*)

Agreed to.

Motion made, and Question proposed, "That the Bill be now read a third time."

Mr. Rawlinson 1737

Bill read the third time and passed.

Constabulary (Ireland) Bill.—Order for Second Reading read.

The Chief Secretary for Ireland (*Mr. Birrell, Bristol, N.*) 1737

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Mooney (*Newry*) 1740
Mr. Kettle (*Tyrone, N.*) 1746

Amendment proposed—

> "To leave out the word 'now,' in order to insert the words 'this day three months.'"—(*Mr. Mooney.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. Barrie (*Londonderry, N.*) 1751
Mr. John O'Connor (*Kildare, N.*)... 1754
Captain Donelan (*Cork, E.*) 1756

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for To-morrow.

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Local Authorities (Admission of the Press) Bill.—Lords Amendments considered.

Lords Amendments—

"In page 1, line 12, to leave out from the word 'interest,' to the end of the clause."

"In page 2, line 25, after the word 'council,' to insert the words 'or councils'; in line 26, after the word 'for,' to insert the words 'its or.'"

"In page 3, line 8, after the word 'and,' to insert the words 'duly accredited representatives,' and after the word 'agencies,' to insert the word 'which.'"

"In page 3, line 9, to leave out the word 'carrying,' and to insert the word 'carry.'"

Agreed to.

Lords Amendment—

"In page 3, line 16, after Clause 4, to insert Clause (*a*): '(*a*) Nothing in this Act shall be construed so as to prohibit a local authority from admitting the public to its meetings, and, subject to the accommodation available, the public shall have the right of admission to meetings of local authorities at all times when the Press is admitted to such meetings under this Act.'"

Read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Mr. Harmood-Banner 1758

Amendment proposed to the Lords Amendment—

"In line 2, to leave out all the words after the word 'meetings.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That the words proposed to be left out stand part of the Lords Amendment."

Mr. Arthur Henderson (Durham, Barnard Castle) 1758

Amendment agreed to.

Lords Amendment, as amended, agreed to.

Lords Amendment—

"In page 3, lines 25 to 32, to leave out Paragraph (*c*), and to insert the words '(*c*) Any other local body, board, joint board, or committee which has or may hereafter have the power to impose a rate (as defined in Section 2 of this Act) and which does not require to report its proceedings to any other local authority.'"

Read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Mr. Courthope (Sussex, Rye) 1759

Lords Amendment agreed to.

Children Bill.—Reasons for disagreeing to certain of the Lords' Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Herbert Samuel*) 1760

MESSAGE FROM THE LORDS.—That they have agreed to Local Registration of Title (Ireland) Amendment Bill with an Amendment 176

Whereupon Mr. DEPUTY-SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at half-past Two of the Clock.

HOUSE OF LORDS, WEDNESDAY, 16TH DECEMBER, 1908.

PRIVATE BILL BUSINESS.

Ards Railways Bill.—Standing Order No. 123 considered (according to order), and dispensed with in respect of the said Bill: Bill read 3ª with the Amendments, and passed, and returned to the Commons. 1761

Edinburgh and Leith Corporations Gas Order Confirmation Bill [H.L.]—Standing Order No. XXXIX. to be considered To-morrow, in order to its being dispensed with in respect of the said Bill. 1761

Perth Corporation Order Confirmation Bill.—Read 3ª (according to order); Amendments made: Bill passed, and returned to the Commons. 1761

North British Railway Order Confirmation Bill.—Read 3ª (according to order), and passed. 1761

PETITIONS.

Coal Mines (Eight Hours) (No. 2) Bill.—Petitions against; of a public meeting held in Aberdeen, 6th April, 1908; Aberdeen Chamber of Commerce Incorporated; read and ordered to lie on the Table. 1761

RETURNS, REPORTS, ETC.

Board of Education.—Report for the year 1907 on the Victoria and Albert Museum, the Royal College of Science and Art, the Geological Survey and Museum, and on the work of Solar Physics Committee. 1761

Irish Land Purchase Acts.—Diagram indicating up to the 30th April 1908, by counties and provinces (*a*) the area of land sold; (*b*) the estimated area of which proceedings had been instituted and were pending for sale under the Acts; also the estimated area of lands in respect of which proceedings for sale had not been instituted on that date under the said Acts. 1761

Boiler Explosions.—Report to the Secretary of the Board of Trade upon the working of the Boiler Explosions Acts, 1882 to 1890, with appendices. ... 1762

Wages and effects of Deceased Seamen.—Account of the sums received and paid in respect of the wages and effects of deceased seamen in the year ended 31st March, 1908.

Presented, and ordered to lie on the Table. 1762

General Lighthouse Fund.—An account of the General Lighthouse Fund ... 1762

Ramsgate Harbour.—Statement of the receipts and payments made by the Board of Trade for the year ended 31st March, 1908, together with an account of the receipt and issue of stores. 1762

Seamen's Savings Banks (Money Orders and Transmission of Wages.—Account of all deposits received and repaid by the Board of Trade on account of Seamen's Savings Banks under the authority of the Merchant Shipping Act, 1894.

Laid before the House, and ordered to lie on the Table. 1762

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Business of the House.—Moved, "That Standing Order No XXI. be suspended, and that Government business have precedence over other Notices and Orders of the Day for the remainder of the session" (The Lord Privy Seal (*The Earl of Crewe*))—agreed to; and ordered accordingly. 1762

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—Read 1ª; to be printed; and to be read 2ª (The Lord Chancellor.) (No. 263.) 1763

Post Office Sites Bill [H.L.]—Commons Amendments to be considered To-morrow 1763

Criminal Appeal (Amendment) Bill [H.L.]—Returned from the Commons agreed to, with an Amendment: The said Amendment to be printed. (No. 260) 1763

Local Registration of Title (Ireland) Amendment Bill.—Returned from the Commons with the Amendment agreed to 1763

Local Authorities (Admission of the Press) Bill.—Returned from the Commons with the Amendments agreed to, with an Amendment; The said Amendment to be printed. (No. 261) 1763

BUSINESS OF THE HOUSE.

The Marquess of Lansdowne 1763
The Chancellor of the Duchy (*Lord Fitzmaurice*) 1763

Port of London Bill.—Order of the day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee.'"—(*Lord Hamilton of Dalzell*).

The Earl of Onslow 1164
Earl Cromer 1766
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*) 1767

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair].

Clause 1:

The Earl of Darnley 1769

Amendment moved—

"In page 2, line 2, to leave out the word 'ten,' and to insert the word 'twelve.'"—(*The Earl of Darnley*).

Lord Hamilton of Dalzell 1771
The Earl of Jersey... 1773
Viscount Milner 1773
The Duke of Northumberland 1774
Lord Belper 1775
Lord Harris 1775
The Marquess of Salisbury 1777
The Earl of Crewe 1778
Lord Avebury 1780
The Marquess of Lansdowne 1781

On Question, that the word "ten" stand part—

Their Lordships divided:—Contents, 47; Non-contents, 90.

Amendment agreed to accordingly.

Lord Avebury 1783

Amendment moved—

"In page 2, line 5, to leave out the words 'By the London County Council, being members of the Council, two.'"—(*Lord Avebury*).

Viscount Midleton 1785
Lord Hamilton of Dalzell... 1785

Amendment, by leave, withdrawn.

Amendment moved—

"In page 2, after line 13, to insert the words 'By the Kent County Council, one. By the Essex County Council, one.'"—*The Earl of Darnley*).

On Question, Amendment agreed to.

The Earl of Camperdown... 1786

Clause, as amended, agreed to.

Clause 2:

Lord Avebury 1786

Amendment moved—

"In page 3, lines 20 and 21, to leave out the words '(*a*) carry on the undertaking of any dock company transferred to the Port Authority by this Act.'"—(*Lord Avebury*).

Lord Hamilton of Dalzell... 1787
The Marquess of Salisbury... 1788
The Earl of Crewe... 1789
Lord Avebury 1790

Amendment, by leave, withdrawn

The Earl of Jersey... 1790

Amendment moved—

"In page 3, line 30, after the word 'Act,' to insert the words '(*e*) preserve the rights and interests of the public in respect of the Thames, its backwaters, and its towpaths.'"—(*The Earl of Jersey*).

Lord Hamilton of Dalzell 1790

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 3 to 5 agreed to.

Clause 6:

The Marquess of Salisbury... 1791
Lord Hamilton of Dalzell 1793
Lord Ellenborough 1793

Amendment moved—

"In page 6, line 19, after the word 'minutes,' to insert the words 'of longitude.'"—(*Lord Ellenborough.*)

On Question, Amendment agreed to.

The Earl of Jersey... 1794

Amendment moved—

"In page 6, line 29, after the word 'requisite,' to insert the words '(*c*) nothing in this Act shall authorise the appropriation or the utilisation for the purposes of this Act of any common or commonable land or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, fuel, or other allotments, or any land, held on trusts which prohibit building thereon.'"—(*The Earl of Jersey.*)

Lord Hamilton of Dalzell 1794

Amendment, by leave, withdrawn.

The Earl of Camperdown 1796

Amendment moved—

"In page 6, to leave out lines 34 to 37 inclusive."—(*The Earl of Camperdown.*)

Viscount Milner 1796
Lord Hamilton of Dalzell 1796

On Question, Amendment agreed to.

Lord Avebury 1797
The Earl of Camperdown 1798

Clause, as amended, agreed to.

Clause 7 agreed to.

Clause 8:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 9 to 12 agreed to.

Lord Nunburnholme 1799

Amendment moved—

"To insert the following new clause: 'Provisions as to Lighting, Buoyage, and Beaconage.—(1) As from the appointed day there shall be vested in the Port Authority the management and control of the lighting, buoyage, and beaconage of the Port of London and of the estuary of the River Thames westward of imaginary straight lines drawn from the Neptune Tower on the North Foreland, in the County of Kent, to the eastern extremity of the Sunk Sand, and thence to the eastern extremity of the Gunfleet Sand, and thence to the Naze, in the County of Essex, and in respect of such area the Port Authority shall be the local lighthouse authority within the meaning of the Merchant Shipping Act, 1894. (2) The Port Authority shall within the said area have the following powers (namely): (*a*) To erect or place any lighthouses with all requisite works, roads, and appurtenances; (*b*) to add to, alter, or remove any lighthouse; (*c*) to erect or place any buoy or beacon, or alter or remove any buoy or beacon; (*d*) to vary the character of any lighthouse or the mode of exhibiting lights therein; (*e*) to maintain any lighthouse, buoy, and beacon; (*f*) To make such surveys and do all such things as are expedient or necessary for effectually lighting, buoying, or beaconing the Port of London and the estuary of the River Thames within the said area. (3) As from the appointed day the Trinity House shall cease to manage or control the lighting, buoyage, and beaconage of the Port of London and of the estuary of the River Thames within the said area, and the expense of such lighting, buoyage, and beaconage shall cease to be paid out of the General Lighthouse Fund, but nothing herein contained shall be construed to take away or limit the powers of the Trinity House as general lighthouse authority under Sections six hundred and fifty-two to six hundred and fifty-four, inclusive of the Merchant Shipping Act, 1894. (4) As from the appointed day the property in all lighthouses, buoys, and beacons within the said area and in the appurtenances and equipment thereof, together with the freehold or leasehold lands whereon any of the same are situated, and all rights, easements, and choses in action relating thereto or enjoyed therewith which immediately before the appointed day belong to, or are vested in, or enjoyed by the Trinity House shall be, and the same are hereby transferred to and vested in the Port Authority to the same extent, and for the same estate and interest as the same were immediately before the appointed day vested in the Trinity House, and may be held, recovered, used, and enjoyed by the Port Authority accordingly. (5) In respect of any of the lighthouses, buoys, and beacons so transferred to the Port Authority, and in respect of any new lighthouses, buoys, and beacons to be hereafter erected or placed by the Port Authority, His Majesty may, by Order in Council, fix such dues to be paid to the Port Authority in respect of every ship which enters the said area, and which passes the lighthouse, buoy, or beacon, or derives benefit therefrom as His Majesty may think reasonable, and such dues shall be deemed to be local light dues within the meaning of, and shall be paid by the same persons, and may be recovered in the same manner, as light dues under Part XI., of the Merchent Shipping Act, 1894. (6) For the purposes of this Act the expressions 'lighthouse' and 'buoys and beacons' shall have the same meaning as in the Merchant Shipping Act, 1894."—(*Lord Nunburnholme*).

Lord Hamilton of Dalzell 1800

Amendment, by leave, withdrawn.

Clause 13:

Lord Hamilton of Dalzell 1800

Amendment moved—

"In page 19, line 15, after the word 'year,' to insert the words 'or if the amount received from Port rates on goods discharged from or taken on board ships within the premises of the docks of the Port Authority exceeds one three-thousandth part of the said aggregate value.'"—(*Lord Hamilton of Dalzell.*)

Lord Ritchie of Dundee 1801
Viscount Milner 1801
Lord Avebury 1802
The Earl of Camperdown 1802
Lord Fitzmaurice 1802
The Marquess of Salisbury 1803

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 14 to 18 agreed to.

Clause 19:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clause 20:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 21 and 22 agreed to.

Clause 23:

The Earl of Camperdown 1803

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Amendment moved—

"In page 28, line 5, after the word 'law,' to insert the following new subsection: '(3) An Order made by the Board of Trade under this section shall not take effect until a draft thereof has laid for thirty days during the session of Parliament on the Table of both Houses of Parliament, and if either House during those thirty days presents an Address to His Majesty against the draft, no further proceedings shall be taken thereon, but without prejudice to the making of a new Order.'"—(*The Earl of Camperdown.*)

Lord Hamilton of Dalzell 1805
The Earl of Camperdown 1805
Lord Hamilton of Dalzell 1806
The Earl of Camperdown 1806
The Marquess of Salisbury 1806
Lord Fitzmaurice 1807
Lord Courtney of Penwith 1807

Amendment, by leave, withdrawn

Clause agreed to.

Clauses 25 and 26 agreed to.

Clause 27:

The Earl of Camperdown 1808

Amendment moved—

"In page 31, line 9, to leave out the words 'from time to time,' and to insert the words 'forthwith,' and to leave out from the word 'such' to the word 'fit' in line 10, and to insert the words 'a Special Report with regard thereto.'"—(*The Earl of Camperdown.*)

Lord Hamilton of Dalzell 1808
The Earl of Camperdown 1809
Lord Fitzmaurice 1809

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 28 to 30 agreed to.

Clause 31:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 32 to 37, agreed to.

Clause 38:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 39 to 48 agreed to.

Clause 49:

Amendment moved—

"In page 39, lines 10 and 11, to leave out the words 'first day of January,' and to insert the words 'thirty-first day of March'; in line 11, after the word 'such,' to insert the word 'earlier or.'"—(*Lord Hamilton of Dalzell.*)

On Question, agreed to.

Clause, as amended, agreed to.

Clause 50:

Amendment moved—

"In page 40, line 28, after the word 'schedule' to insert the words 'Provided that the repeal of the words in Section seven of the Thames Conservancy Act, 1905, mentioned in that schedule which limit the period during which the increased duties of tonnage authorised by that Act may be demanded and received shall take effect as from the first day of January, 1909, and notwithstanding that the powers of the Conservators are not transferred to the Port Authority until a later date.'"—(*Lord Hamilton of Dalzell.*)

On Question, agreed to.

Clause, as amended, agreed to.

Clauses 51 to 56 agreed to.

Clause 57:

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clauses 58 to 63 agreed to.

First Schedule:

The Earl of Camperdown 1811

Amendment moved—

"In page 56, line 24, to leave out the word 'thirteen,' and to insert the word 'eleven.'"—(*The Earl of Camperdown.*)

Lord Hamilton of Dalzell 1812

On Question, Amendment negatived.

Drafting Amendment agreed to.

First schedule, as amended, agreed to.

Second schedule agreed to.

Third Schedule.

Lord Desborough 1813

Amendment proposed—

"In page 63, line 38, after the word 'fit,' to insert the words 'and one of such two shall be specially selected for his knowledge and experience in Thames fishery preservation.'"—(*Lord Desborough.*)

Lord Hamilton of Dalzell 1814

Amendment, by leave, withdrawn.

Third and fourth schedules agreed to.

Fifth schedule.

The Earl of Jersey... 1814

Amendment moved—

"In page 65, line 6, to leave out the words 'the boundary line between the parishes of Teddington and Twickenham,' and to insert the words 'at a point situate one hundred yards or thereabouts above the south-west corner of the entrance to the Brentford docks.'"—(*The Earl of Jersey.*)

Lord Hamilton of Dalzell... 1815

Amendment, by leave, withdrawn.

Schedule agreed to.

Standing Committee negatived: The Report of Amendments to be received to-morrow, and standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. (No. 259.)

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Housing of the Working Classes (Ireland) Bill.—Commons Amendments to Lords Amendments and Commons reasons for disagreeing to certain of the Lords Amendments considered (according to order.)

Lord Denman 1817

Lords Amendment—

"In page 4, line 10, to leave out the words 'compulsory purchase,' and to insert the word 'acquisition.'"

On Question, agreed to.

Lords' Amendment—

"In page 4, line 14, after the word 'Board' to insert the words '(*a*) If land is not proposed' to be taken compulsorily; or (*b*) if, although land is proposed to be taken compulsorily, the Local Government Board, before making an absolute order, are satisfied that notice of the draft or Provincial Order, as the case may be, has been served as required as respects a Provisional Order by subsection (5) of Section 8 of the Act of 1890, and also that the draft or Provisional Order, as the case may be, has been published in the *Dublin Gazette*, and that a petition against it has not been presented to the Local Government Board by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the Service of notice, or having been so presented, has been withdrawn.'"

Moved, That this House do not insist on its Amendment, but insert in lieu thereof—

"In page 4, lines 5 and 6, to leave out the words 'an order of the Local Government Board' and to insert the words 'where a petition is presented by a local authority to the Local Government Board for an order.'"

"In page 4, to leave out lines 12, 13 and 14, and to insert the words 'The provisions of Section 6 of the Labourers (Ireland) Act, 1906, shall, with the necessary modifications, apply in the case of the petitioners to such proceedings and orders therein in like manner as they apply in the case of an improvement scheme under the Labourers (Ireland) Acts, 1883 to 1906. The Lord-Lieutenant in Council may make such adoption of those provisions as appear to him to be necessary or expedient for carrying this section into effect.'"

"In page 4, line 15, to leave out subsection (2)."

On Question, agreed to.

Lords Amendment—

"In page 4, line 31, after the word 'published,' to insert the following new subsections: '(4) If an order of the Local Government Board, which, if no petition were presented, would take effect without confirmation, is presented against, the Local Government Board, may, if they think fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order.

> (6) The provisions of this section shall extend to orders of the Local Government Board made after the passing of this Act upon petitions of local authorities presented before the passing of this Act.'"

The Commons proposed to amend this Amendment by leaving out subsections (4) and (5).

On Question, agreed to.

Lords Amendment—

> "In page 7, line 11, after the word 'Woods,' to insert the words '(4) Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or and disused burial ground, or any land held on trusts which prohibit building thereon, or held in trust for some charitable purpose, or for some particular public purpose specified or defined, as distinguished from the general purposes of a municipality or township or the general benefit or advantage of the inhabitants thereof.'"

The Commons proposed to amend this Amendment by leaving out the word "Act" in line 1 and inserting the word "section," and by leaving out from the word "ground" in line 5 to the end of the subsection.

Lord Denman 1819

On Question, agreed to.

Lord Atkinson 1819

Amendment moved—

> "To insert in lieu of the words struck out by the Commons, the following words, 'Or, without the sanction of the Chancery Division of the High Court of Justice in Ireland, obtained in manner hereinafter provided, or any land held in trust for a specific charitable purpose to which it is reasonably capable of being effectively applied, or held in trust for a particular and specific public purpose to which it is reasonably capable of being similarly applied. The said Chancery Division on a petition being by the local authority presented to it in manner prescribed by rules, which the said Division is hereby authorised to make in that behalf, may make an order sanctioning the proposed appropriation or utilisation of the said land so held for charitable or public purposes as aforesaid, or of a part thereof, on being satisfied that the objects of the trusts on which the said land is held will not be thereby substantially defeated or prejudiced.'"—(*Lord Atkinson.*)

Lord Denman 1820
Lord Atkinson 1821
The Lord Chancellor 1822
Lord Atkinson 1823
Lord Denman 1823
The Marquess of Lansdowne 1823

Amendment, by leave, withdrawn.

Moved "To leave out Clause 13."

On Question, agreed to.

Lords Amendment—

> "In page 7, line 15, after '1890,' to insert the words 'of any town, the population of which, according to the last census exceeds two thousand.'"

Moved, "That this House doth not insist on its Amendment with which the Commons have disagreed."—(*Lord Denman.*)

On Question, agreed to.

A Committee appointed to prepare a reason for the Lords insisting on one of their Amendments: The Committee to meet forthwith.

Summary Jurisdiction (Scotland) Bill.—House in Committee (according to Order).

Lord Herschell 1824

Drafting Amendments agreed to.

Amendment moved—

> "In Schedule A, page 35, after line 29, to insert the words '40 & 41 Vict., c. 193, the Greenock Police Act, 1877, Sections 136, 243, 244, and 257.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Standing Committee negatived. The Report of Amendments to be received to-morrow, and Bill to be printed, as amended.

Local Government (Scotland) Bill.—House in Committee (according to Order).

Clauses 1 to 10 agreed to.

Clause 11:

Drafting Amendments agreed to.

Amendment moved—

> "In page 10, after line 30, to insert two new subsections: '(7) Nothing in this section contained shall authorise any ferry rates or tolls to be demanded or received by a county council for the conveyance of any person when on duty in the service of the Crown or any Government Department, or of any goods for the service, or being the property of the Crown, or any Government Department, or of any postal packets within the meaning of the Post Office (Protection) Act, 1884. (8) Section 28 of the Harbours, Docks, and Piers Clauses Act, 1874, shall be incorporated in this section.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 12 to 14 agreed to.

Clause 15:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 16 to 25 agreed to.

Clause 26:

Amendments moved—

> "In page 17, line 8, after the word 'quarry,' to insert the words 'or for carrying away materials therefrom and power to store materials therein.'"
>
> "In page 17, line 17, after the word 'used,' to insert the words 'or materials are stored as aforesaid.'"
>
> "In page 17, line 20, to leave out the word 'them,' and to insert the words 'such engines, appliances, or apparatus, or to store such materials.'"

"In page 17, line 21, after the word 'used,' to insert the words 'or materials stored.'"

"In page 17, line 23, to leave out the words 'their use,' and to insert the words 'the use of such engines, appliances, or apparatus, or the storing of such materials.'"

"In page 17, line 25, after the word 'use,' to insert the words 'or materials are stored.'"

"In page 17, line 27, to leave out the words 'their further use,' and to insert the words 'the further use of such engines, appliances, or apparatus, or the storing of such materials.'"—(*Lord Herschell.*)

On Question, Amendments agreed to.

Clause, as amended, agreed to.

Clause 27 agreed to.

Clause 28:

Lord Herschell 1826

Amendment moved—

"In page 18, line 16, at end of line to insert the words 'and all fees payable in respect of the powers and duties so transferred shall be payable to the county council. Section 120 of the principal Act which relates to compensation to existing officers shall apply in the case of clerks of the peace affected by this subsection.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 29:

Lord Herschell 1826

Amendments moved—

"In page 18, line 19, after the word 'work,' to insert the words 'and all land.'"

"In page 18, line 22, after the word 'any,' to insert the word 'land.'"—(*Lord Herschell.*)

On Question, Amendments agreed to.

Clause, as amended, agreed to.

Standing Committee negatived. The Report of Amendments to be received To-morrow, and Bill to be printed as amended.

PREVENTION OF CRIME.—Amendments reported (according to order).

Earl Beauchamp 1827

Amendment moved—

"In page 5, line 3, after the word 'recall,' to insert the words 'and that a person so recalled shall not in any case be detained after the expiration of the said period of six months supervision.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Earl Beauchamp 1827

Amendment moved—

"In page 11, line 27, to leave out subsection (5)."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Then Standing Order No. XXXIX., considered (according to Order), and dispensed with. Bill read 3ª with the Amendments, and passed, and returned to the Commons.

Buxton Charity Bill; **Long Ashton Charity Bill**; **Abbots Bromley Charity Bill**.—Read 3ª, and passed 1827

Crofters Common Grazings Regulation Bill. [Second Reading.]—Order of the Day for the Second Reading read.

Lord Herschell 1828

Moved that the Bill be now read 2ª.—(*Lord Herschell.*)

Lord Lovat 1828
Lord Herschell 1830
The President of the Board of Agriculture and Fisheries (*Earl Carrington*) 1831

On Question, Bill read 2ª, and committed to a Committee of the whole House for To-morrow.

Children Bill.—Returned from the Commons with several of the Amendments agreed to; several others agreed to with Amendments, and with consequential Amendments to the Bill; and several others disagreed to; with reasons for such disagreement. The said Amendments and reasons to be printed. (No. 262.) 1831

Local Authorities (Admission of the Press) Bill.—Commons Amendments to Lords Amendments to be considered To-morrow 1831

Criminal Law Amendment Bill.—Commons Amendments to be considered To-morrow 1831

House adjourned at twenty minutes before Nine o'clock; till To-morrow, half-past Three o'clock.

HOUSE OF COMMONS, WEDNESDAY, 16th DECEMBER, 1908.

The House met at quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Water of Leith Purification and Sewage Order Confirmation Bill.—Read a second time; and ordered to be considered To-morrow 1832

RETURNS, REPORTS, ETC.

Board of Education.—Report on the Victoria and Albert Museum, the Royal Colleges of Science and of Art, the Geological Survey and Museum, and on the work of the Solar Physics Committee, for the year 1907, to lie upon the Table 1832

Irish Land Purchase Acts.—Diagram indicating up to the 30th April, 1908, by Counties and Provinces, (a) the area of land sold, and (b) the estimated area of lands in respect of which proceedings had been instituted, and were pending for sale under the Irish Land Purchase Acts; also the estimated area of lands in respect of which proceedings for sale had not been instituted on that date under the said Acts, to lie upon the Table. ... 1832

Boiler Explosions Acts 1882 and 1890.—Report to the Secretary of the Board of Trade upon the working of the Boiler Explosions Acts, 1882 and 1890, to lie upon the Table. 1832

Wages and Effects of Deceased Seamen.—Account presented, of the sums received and paid in respect of the Wages and Effects of Deceased Seamen, to lie upon the Table, and to be printed. [No. 367.] 1832

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table 1832

Seamen's Savings Banks (Money Orders and Transmission of Wages).—Account presented, of all Deposits received and repaid by the Board of Trade on account of Seamen's Savings Banks under the Merchant Shipping Act, 1894; to lie upon the Table, and to be printed. [No. 368.] ... 1832

General Lighthouse Fund.—Account of the General Lighthouse Fund; to lie upon the Table, and to be printed. [No. 369] 1832

Ramsgate Harbour.—Statement of the Receipts and Payments for the year ended 31st March 1908, together with an Account of the Receipt and Issue of Stores; to lie upon the Table 1832

Paupers and Dependants (Scotland).—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 370] 1832

Foreign Countries (Preference to Colonies).—Return ordered, "showing the fiscal advantages at present given by France, Germany, Spain, the Netherlands, and the United States to goods imported from their Colonial Possessions, and conversely by the said Colonial Possessions to goods from their mother country" 1832

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Export of New Ships—Board of Trade Returns 1834
Overcrowding on the Metropolitan Railway 1834
Dangerous Level Crossing at Streetly Station 1835
Portadown Post Office Staff 1835
Reorganisation of the Victoria and Albert Museum 1836
Rents Charged by Co-operative Societies to Small Holders 1837
Grants for Cattle-Breeding 1838
Applications for Small Holdings in Derbyshire 1838
Strangford Bar Buoy 1839
Floating Docks for Vessels of "Dreadnought" Class 1839
Old-Age Pensions—Summary of Decisions 1839
Construction of Subways at Elephant and Castle 1840
Indian Rupee Debt 1840
Unemployed Grant to Ireland 1841
Evicted Tenants—Application of Ed. M'Barron 1841
Territorial Army—Commands in the Army Service Corps 1842
Government Contracts—Wages in Sub-contracted Work 1842

QUESTIONS IN THE HOUSE.

Rosyth 1843
H.M.S. "Bulwark" 1843
Naval Shipbuilding on the Thames 1844
Special Reserve Subaltern Officers... 1845
Special Reserve and the New Rifle 1845

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Military Caps 1846
Special Reserve Permanent Staff 1846
Army Boots 1847
Cable Rates to India 1847
Unrest in India 1848
Famine in the Uganda Protectorate 1851
Straits Settlements—Sale of Public Lands 1851
Straits Settlements—Public Debt Charges 1852
Alienation of Malacca and Penang Public Lands 1852
Australian Emigration Laws 1853
The Baghdad Railway 1853
Hop Industry 1854
Duty on Methylated Spirits 1854
Old-Age Pensions—Pauperism Disqualification 1855
Stud Tramway Dangers 1856
Suicides at Sea 1857
Salford Hundred Court of Record 1858
Penrhyn Slate Quarries 1858
Time Cribbing in Cotton Mills 1859
Cotton Mills Cardroom Ventilation 1859
Old-Age Pensions for Rural District Council Workmen 1860
Depwade Guardians' Meeting Place 1860
Labour Exchanges 1861
Postal Facilities at Scarborough 1862
The Victoria and Albert Museum 1863
Holyrood Palace Picture Gallery 1865
Foreign Fed Meat 1865
Century Insurance Company Director 1866
Lanarkshire Mines and Fishing in the Tweed 1866
Scottish Churches Commission 1867
Cement for Irish Labourers' Cottages 1867
Roscommon Instructress of Domestic Economy 1868
Irish Dispensary Medical Officers 1868
Irish Labourers' Cottages and Tuberculosis 1869
Promotion of Irish Teachers 1869
Irish Education Rules 1869
Irish Land Purchase Securities 1870
Irish Land Purchase Finance 1870
Rufeen Untenanted Lands 1871
Tonlagee Grazing Farm 1872
Royal Dublin Society 1873
Charge against an Irish Member 1875
Irish Mail Service 1875
Scottish Government Departments 1876

The Suspension of Mr. Grayson 1876

Business of the House 1877

Local Registration of Title (Ireland) Amendment Bill.—Lords Amendment to be considered forthwith; considered, and agreed to 1878

House of Commons (Admission of Strangers).—Report from the Select Committee, with Minutes of Evidence, brought up, and read.
Report to lie upon the Table, and to be printed. [No. 371] 1878

Public Petitions Committee.—Eighth Report brought up, and read, to lie upon the Table, and to be printed 1878

Application of Sinking Funds in Exercise of Borrowing Powers.—Report from the Select Committee brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 372.]

Minutes of Proceedings to be printed. [No. 372]... 1878

House of Commons (Kitchen and Refreshment Rooms).—Report from the Select Committee brought up, and read.

Report to lie upon the Table, and to be printed. [No. 373] ... 1878

Message from the Lords.—That they have agreed to: White Phosphorus Matches Prohibition Bill, without Amendment.

Education (Scotland) Bill; Prevention of Crime Bill; Perth Corporation Order Confirmation Bill; Ards Railways Bill, with Amendments.

Housing of the Working Classes (Ireland) Bill.—That they insist on one of their Amendments to which the Commons have disagreed and assign their Reason; they do not insist on one other of their Amendments, but propose an Amendment in lieu thereof; they agree to the Amendment made by the Commons to the Amendments made by the Lords with Amendments, to which they desire the concurrence of this House, and do not insist on their remaining Amendment to which the Commons have disagreed 1878

Education (Scotland) Bill.—Lords Amendments to be considered To-morrow, and to be printed. [Bill 407] 1878

Prevention of Crime Bill.—Lords Amendments to be considered To-morrow, and to be printed. [Bill 408] 1878

Public Accounts Committee.

Colonel R. Williams (Dorsetshire, W.) 1878
Sir D. Goddard (Ipswich)... 1888

Motion made, and Question proposed, "That the Reports of the Public Accounts Committee be now taken into consideration."—*(Colonel Williams).*

Mr. Bowles (Lambeth, Norwood) 1894
Mr. Kettle (Tyrone, N.) 1901
The Financial Secretary to the Treasury (Mr. Hobhouse, Bristol, E.) ... 1904
Mr. Austen Chamberlain (Worcestershire, E.) 1907
The Financial Secretary to the War Office (Mr. Acland, Yorks., Richmond) 1916
Mr. James Parker (Halifax) 1922
Lord R. Cecil (Marylebone, E.) 1925
Mr. Wedgwood (Newcastle-under-Lyme) 1928
Mr. Mitchell-Thomson (Lanarkshire, N.W.) 1933
The Under-Secretary of State for the Colonies (Colonel Seely, Liverpool, Abercromby) 1934

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Mr. Bellairs (Lyme Regis) 1934
The Parliamentary Secretary to the Admiralty (Dr. Macnamara, Camberwell, Dulwich) 1939

Motion, by leave, withdrawn.

Constabulary (Ireland) Bill.—Considered in Committee, and reported, without Amendment; to be read the third time To-morrow 1944

Appellate Jurisdiction Bill [Lords]; Considered in Committee.

(In the Committee.)

Clauses 1 to 3 agreed to.

Clause 4:

Lord R. Cecil (Marylebone, E.) 1944

Amendment proposed—

"In page 2, line 10, to leave out subsection (1)."—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Rawlinson (Cambridge University) 1946
The Attorney-General (Sir W. Robson, South Shields) 1947

Amendment negatived.

Mr. Rawlinson 1947

Amendment proposed—

"In page 2, line 22, at end, to add the words '(4) The last paragraph of Section 1 of the Judicial Committee Act, 1883 (3 & 4 Will. VI., c. 41), is hereby amended by the omission therefrom of the word "two."''"—(*Mr. Rawlinson.*)

Question proposed, "That those words be there added."

Sir W. Robson 1948
Mr. Rawlinson 1948

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 5 agreed to.

Sir W. Robson 1948

New clause—

"(1) Section one of the Judicial Committee Amendment Act, 1895, shall have effect as if the persons named therein included any person being or having been Chief Justice or a Justice of the High Court of Australia or Chief Justice or Judge of the Supreme Court of Newfoundland. (2) The schedule to the Judicial Committee Amendment Act, 1895, shall be read as if the Transvaal and the Orange River Colony were included therein as South African Colonies."—(*The Attorney-General.*)

Brought up and read the first and second time, and added to the Bill.

Sir W. Robson 1949

New clause—

"His Majesty may from time to time, by Order in Council, make a general order directing that all appeals shall be referred to the Judicial Committee of the Privy Council until the order is rescinded, and Section nine of the Judicial Committee Act, 1844, shall have effect as if any such general order for the time being in force were substituted,

in the first proviso to that section, for the annual order therein referred to, and the time for which the order remains in force were substituted for the twelve months next after the making of the general order. The expression 'appeals' in this section means appeals on petitions presented to His Majesty in Council, and includes any complaints in the nature of appeals and any petitions in the matter of appeals."—(*The Attorney-General.*)

Brought up and read the first and second time, and added to the Bill.

Amendments proposed—

"In page 3, line 6, to leave out the word 'Colony,' and to insert the words 'of Good Hope.'"

"In page 3, line 8, to leave out the word 'Colony.'"—(*The Attorney-General.*)

Agreed to.

Schedule agreed to. Bill reported; as amended, to be considered to-morrow.

Lunacy Bill [Lords.]—Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment ... 1950

Statute Law Revision Bill. [Lords].—Considered in Committee, and reported, without Amendment; to be read the third time To-morrow ... 1950

Companies Consolidation Bill. [Lords].—As amended, considered; read the third time, and passed, with Amendments 1950

Poisons and Pharmacy Bill. [Lords].—Consideration, as amended (in the Standing Committee), deferred till To-morrow 1950

Post Office Consolidation Bill. [Lords].—Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment 1950

Tuberculosis Prevention (Ireland) Bill,—As amended (in the Standing Committee), considered.

The Chief Secretary for Ireland (*Mr. Birrell, Bristol, N.*) 1950

New clause—

"(1) This Part of this Act shall extend to any urban or rural sanitary district in Ireland after the adoption thereof. (2) The sanitary authority of any such urban or rural sanitary district may adopt this Part of this Act by a Resolution passed at a meeting of the authority. (3) fourteen clear days at least before the meeting a summons to attend the meeting, specifying the business to be transacted, and signed by the clerk of the sanitary authority, shall be sent by post to, or delivered at the usual place of abode of, every member of the sanitary authority. (4) A Resolution adopting this Part of this Act shall be published by advertisement in a local newspaper and by hand-bills, and otherwise, in such manner as the sanitary authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at such time (not less than one month) after the first publication of the advertisement of the Resolution as the sanitary authority may fix, and, upon its coming into operation, this part of this Act shall extend to the district."

Brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Mooney (Newry) 1951
Mr. Barrie (Londonderry, N.) 1952
Sir W. J. Collins (St. Pancras, W.) 1952

Question put, and agreed to.

Amendment proposed—

"In line 4, to insert the words 'subject to the approval of the council of the county in which it is situated.'"—(*Mr. Birrell.*)

Agreed to.

Cause, as amended, added to the Bill.

New clause—

"Any urban authority being a sanitary authority shall have power to provide that all meat killed outside the town and brought into the town for sale shall on the same day, before being exposed for sale, be brought into the abattoir or other place to be appointed by the council for inspection between the hours of eight o'clock a.m. and eleven forenoon, and shall not be sold or exposed for sale until after same has been inspected and passed as fit for human food, but no person shall be appointed or act as an inspector under this section who does not possess a certificate as a meat inspector."—(*Mr. Mooney*).

Brought up and read the first and second time, and added to the Bill.

Mr. Barrie 1953
Lord Balcarres (Lancashire, Chorley) 1953

Amendment proposed to the Bill—

"In page 1, line 7, to leave out Clause 1."—(*Mr. Hugh Barrie.*)

Question proposed, "That the words proposed to be left out, to the word 'person,' in page 1, line 7, stand part of the Bill."

Mr. Birrell 1955
Mr. Kettle (Tyrone, N.) 1955
Sir W. J. Collins 1956
Sir Charles Dilke (Gloucestershire, Forest of Dean) 1956
Mr. Mooney 1957

Amendment negatived.

Mr. Birrell 1958

Amendments proposed—

"page 1, line 7, after the word 'person,' to insert the words 'within any district to which this part of this Act extends.'"

"In page 1, line 8, after the word 'suffering,' to insert the words in any prescribed circumstances.'"

"In page 1, line 9, to leave out from the first word 'any,' to the first word 'medical,' in line 11, and to insert the words 'prescribed form, or at any prescribed stage, the.'"

"In page 1, line 11, after the word 'days,' to insert the words 'after he becomes aware of the fact.'"—(*Mr. Birrell.*)

Agreed to.

Amendment proposed—

"In page 1, line 12, to leave out from the word 'health,' to the word 'a' in line 13."—(*Mr. Birrell.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

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Mr. Mooney 1958
The Attorney General for Ireland (Mr. Cherry, Liverpool, Exchange) ... 1950
Mr. Cooper (Southwark, Bermondsey) 1959
Lord Balcarres 1960

Amendment agreed to.

Amendment proposed—

"In page 1, line 15, to leave out from the word 'with' to the word 'shall,' in line 17, and insert the words 'the President of the Royal College of Physicians in Ireland and the President of the Royal College of Surgeons in Ireland.'"—(*Mr. Birrell.*)

Question proposed, "That the words proposed to be left out stand part of Bill.'"

Lord Balcarres 1961
Mr. Cooper 1961

Amendment agreed to.

Mr. Cooper 1961

Amendment proposed—

"In page 2, line 4, to leave out the words 'seven days,' and to insert the words 'the period specified in this section.'"

"In page 2, line 12, to leave out the word 'local,' and to insert the word 'sanitary.'"

Agreed to.

Mr. Cooper 1961

Amendment proposed—

"In page 2, line 37, to leave out the words 'of the district.'"—(*Mr. Birrell.*)

Agreed to.

Clause, as amended, agreed to.

Mr. Mooney 1962

Amendment proposed—

"In page 3, line 5, after the word 'bedding,' to insert the words 'Section fifteen (which relates to a temporary shelter).'"—(*Mr. Mooney.*)

Agreed to.

Mr. Cooper 1962

Amendment proposed—

"In page 3, line 6, to leave out the words 'and Section seventeen (which relates to power of entry).'"—(*Mr. Cooper.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Cherry 1963
Mr. Mooney 1963

Amendment negatived.

Amendments proposed—

"In page 3, line 12, to leave out from the word 'apply,' to end of clause.'"

"In page 8, line 15, to leave out from the word 'hospital,' to end of clause, and to insert the words, 'provided under this part of this Act, or being treated in any dispensary so provided.'"

Agreed to.

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Mr. Cooper... 1963

Amendments proposed—

"In page 10, line 5, to leave out the words 'superintendent medical,' and to insert the words 'medical superintendent.'"

"In page 10, line 6, to leave out the words 'superintendent medical,' and to insert the words 'medical superintendent.'"—(*Mr. Cherry*).

Agreed to.

Mr. Cherry... 1965

Amendment proposed—

"In page 10, line 25, after the word 'dispute,' to insert the words 'by arbitration.'"—(*Mr. Cherry.*)

Question proposed, "That those words be there inserted."

Mr. Mooney 1965

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 10, line 28, at end, to insert the words '(3) Where a milch cow has been slaughtered under this section, the carcase shall belong to the sanitary authority, and shall be buried or returned to the owner or otherwise disposed of by the sanitary authority according as the condition of the animal or carcase or other circumstances require or admit.'"—(*Mr. Cherry*).

Question proposed, "That those words be there inserted."

Lord Balcarres 1967
Mr. Mooney 1967
Mr. Barrie... 1968
Mr. Cooper 1968
Mr. Joyce (Limerick) 1969

Amendment agreed to.

Mr. Cullinan (Tipperary, S.) 1969

Amendment proposed—

"In page 11, line 9, to leave out Clause 19."—(*Mr. Cullinan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Cherry 1970
Mr. Mooney 1970
Mr. Barrie... 1971
Mr. Cullinan 1971

Amendment negatived.

Amendment proposed—

"In page 11, line 24, after the word 'Acts,' to insert the words 'the expressions "veterinary surgeon" and "duly qualified veterinary surgeon," respectively, mean a person registered under the Veterinary Surgeons Act, 1881.'"—(*Mr. Birrell.*)

Question proposed, "That those words be there inserted."

Mr. Mooney 1972

Amendment agreed to.

Bill read the third time, and passed.

Commons Bill [LORDS].—Read a second time.

Bill committed to a Committee of the Whole House for to-morrow.—(*Sir Edward Strachey*) 1972

Incest Bill.—Lords Amendments considered, and agreed to 1972

Public Meeting Bill.—Read a second time.

Bill committed to a Committee of the Whole House for to-morrow.—(*Lord R. Cecil*) 1972

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eighteen minutes after Ten o'clock.

HOUSE OF LORDS, THURSDAY, 17TH DECEMBER, 1908.

PRIVATE BILL BUSINESS.

Edinburgh and Leith Corporations Gas Order Confirmation Bill [H.L.].—Read 2ª (according to order), and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899) deemed to have been reported from the Committee; Then Standing Order No. XXXIX. considered (according to Order), and dispensed with; Bill read 3ª, Amendments made, Bill passed, and sent to the Commons 1973

RETURNS, REPORTS, ETC.

India (Advisory and Legislative Councils, &c.).—Vol. I. Proposals of the Government of India and Despatch of the Secretary of State 1973

Agricultural Statistics (Ireland).—Return of prices of crops, live stock, and other Irish agricultural products for 1907–1908.

Presented, and ordered to lie on the Table 1973

Census of Production Act, 1906.—Rules made by the Board of Trade, CCXVII. and CCXVIII.: Laid before the House, and ordered to lie on the Table 1973

Lunacy Bill [H.L.]; Post Office Consolidation Bill [H.L.].—Returned from the Commons agreed to 1973

Companies (Consolidation) Bill [H.L.].—Returned from the Commons agreed to, with Amendments: The said Amendments to be considered To-morrow.

Incest Bill; Ards Railways Bill; Perth Corporation Order Confirmation Bill.—Returned from the Commons, with the Amendments agreed to ... 1973

INDIAN REFORMS.

The Secretary of State for India (*Viscount Morley of Blackburn*) ... 1974
The Marquess of Lansdowne 1989
Lord Macdonnell of Swinford 1996

Port of London Bill.—Amendments reported (according to order).

The Duke of Northumberland 2000

Amendment moved—

"In page 2, line , after the words 'By the Essex County Council, one' to insert the words 'By the Middlesex County Council, one; by the Surrey County Council, one.'"—*The Duke of Northumberland.*)

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Lord Hamilton of Dalzell ... 2002
The Earl of Jersey ... 2003
Viscount St. Aldwyn ... 2004

On Question, Amendment negatived.

Lord Desborough ... 2004

Amendment moved—

"In page 5, line 29, to leave out from the beginning of the line to the word 'make' in line 39, and to insert the words 'The Board of Trade may on the application of the Port Authority.'"—(*Lord Hamilton of Dalzell.*)

On Question, Amendment, agreed to.

Lord Hamilton of Dalzell ... 2005

Amendment moved—

"In page 5, line 9, after the word 'constructed' to insert the words 'in pursuance of an order under this section."—(*Lord Hamilton of Dalzell.*)

On Question, Amendment agreed to.

Lord Hamilton of Dalzell ... 2005

Amendment moved—

"In page 5, line 31, after the word 'requisite,' to insert the words (*c*) Nothing in this section shall, without the consent of the Board of Agriculture and Fisheries, authorise the acquisition of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground.'"—(*Lord Hamilton of Dalzell.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

"In line 39, after the word 'person,' to insert the words 'not in the employment of any Government Department.'"—(*Lord Hamilton of Dalzell.*)

On Question, Amendment agreed to.

Then Standing Order No. XXXIX. considered (according to order) and dispensed with. Bill read 3ª with the Amendments and passed, and returned to the Commons.

Coal Mines (Eight Hours (No. 2) Bill.—House in Committee (according to order.)

[The Earl of ONSLOW in the Chair.]

Clause 1:

The Earl of Dunraven ... 2006
The Earl of Crawford ... 2006

Amendment moved—

"In page 1, line 8, to insert the words 'where a majority of the workmen employed decide by a ballot that a period for rest or meals shall be provided during any shift, the time of absence from the surface prescribed by this Act shall be increased by the duration of such period."—(*The Earl of Dunraven.*)

The Lord Steward (Earl Beauchamp) ... 2006
The Earl of Crawford ... 2007
The Earl of Dunraven ... 2007

Amendment, by leave, withdrawn.

Viscount St. Aldwyn ... 2007

Amendment proposed—

"In page 1, lines 12 and 13, to leave out the words 'During the five years after the commencement of this Act.'"—(*Viscount St. Aldwyn.*)

Lord Knaresborough ... 2011
Earl Beauchamp ... 2012
The Marquess of Londonderry ... 2014
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*) ... 2015

On Question, "That the words proposed to be left out stand part of the clause.'"

Their Lordships divided :—Contents, 27 ; Not-Contents, 136.

Consequential Amendment agreed to.

Lord Belhaven and Stenton ... 2017

Amendment moved—

"In page 2, line 4, to leave out the words 'through unforeseen circumstances.'"—(*Lord Belhaven and Stenton*).

Earl Beauchamp ... 2019
Lord Belhaven and Stenton ... 2020

Amendment, by leave, withdrawn.

Lord Belhaven and Stenton ... 2020

Amendment moved—

"In page 2, line 5, to leave out the word 'serious,' and to insert the word 'substantial.'"—(*Lord Belhaven and Stenton.*)

Earl Beauchamp ... 2019

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 2 and 3 agreed to.

Clause 4 :

The Earl of Crawford ... 2021
Viscount St. Aldwyn ... 2021

Amendment moved—

"In page 4, line 37, at the end, to add the words, 'His Majesty may, by Order in Council, vary the application of this Act to mines or to any class of mines in a particular district to such an extent and for such a period as may be necessary to prevent loss of employment to the population residing in that district by the closing of the mines in consequence of the operation of this Act.'"—(*Viscount St. Aldwyn.*)

Lord Avebury ... 2024
Earl Beauchamp ... 2024
Viscount St. Aldwyn ... 2025
Earl of Crewe ... 2026

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 5 agreed to.

Earl Beauchamp ... 2026
The Marquess of Londonderry ... 2027
Lord Newton ... 2027

Clause, as amended, agreed to.

Clause 7.

Lord Newton 2029

Amendment moved—

"In page 6, line 11, to leave out from the word 'operation' to the word 'on' in line 12.' "—(*Lord Newton.*)

Lord Knaresborough 2031
The Earl of Durham 2031
The Earl of Dunraven 2032
Lord Balfour of Burleigh 2033
Earl Beauchamp 2034
The Marquess of Lansdowne 2034
The Earl of Crewe 2036
The Earl of Crawford 2037
Lord Knaresborough 2037
Lord Newton 2037
Lord St. Davids 2038
The Earl of Durham 2038
Lord Avebury 2039

On Question, Amendment agreed to.

Amendment moved—

' In page 6, line 13, to omit the word 'January' and insert the word 'July.' "—(*Lord Avebury.*)

On Question, Amendment agreed to.

Standing Committee negatived.

The Report of Amendments to be received to-morrow, and Bill to be printed as amended. [No. 267.]

Agricultural Holdings (Scotland) Bill [H.L.].—Amendments reported (according to order); further Amendments made. Bill to be read 3ª To-morrow, and to be printed as amended. [No. 268.] 2040

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—Read 2ª (according to order), and committed to a Committee of the Whole House To-morrow 2040

Post Office Sites Bill [H.L.].—Commons Amendments considered (according to order), and agreed to 2040

Children Bill.—Commons Amendments to Lords Amendments and consequential Amendments, and Commons reasons for disagreeing to certain of the Lords Amendments considered (according to order).

Earl Beauchamp 2041

Moved, " That this House does not insist upon its Amendment."

On Question, agreed to.

Earl Beauchamp 2041

On Question, Amendment agreed to.

Drafting Amendments made by the Commons in Clause 108, page 61, line 27, and in page 65, line 15, agreed to.

Earl Beauchamp 2042

Moved, "That this House doth agree with the Commons in the said Amendments."—(*Earl Beauchamp.*)

On Question, agreed to.

Viscount Middleton 2042
Earl Beauchamp 2042

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

Consequential Amendment made.

Earl Beauchamp 2043

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

Earl Beauchamp 2043

Moved, "That this House doth not insist upon its Amendment, and agrees with the Commons Amendment proposed in lieu thereof."—(*Earl Beauchamp.*)

On Question, agreed to.

Earl Beauchamp 2043

Moved, "That this House doth not insist upon the said Amendment."—(*Earl Beauchamp.*)

The Earl of Donoughmore 2044
The Earl of Crewe... 2045
The Marquess of Lansdowne 2045

On Question, Motion agreed to.

Earl Beauchamp 2045

Motion, "That this House doth not insist upon its Amendment, and agrees to the Commons Amendment proposed in lieu thereof."—(*Earl Beauchamp.*)

On Question, agreed to.

Bill returned to the Commons with the Amendments.

Summary Jurisdiction (Scotland) Bill.—Amendments reported (according to order), to be read 3ª To-morrow 2046

Local Government (Scotland) Bill.—Amendments reported (according to order); further Amendments made; Bill to be read 3ª To-morrow, and to be printed as amended. [No. 269] 2046

Crofters' Common Grazings Regulation Bill.—House in Committee (according to order). Bill reported without Amendment. Standing Committee negatived, and Bill to be read 3ª To-morrow 2046

Criminal Appeal (Amendment) Bill [H.L.].—Commons Amendment considered (according to order), and agreed to 2046

Local Authorities (Admission of the Press) Bill.—Commons Amendment to Lords Amendment considered (according to order).

Lords Amendment—

"After Clause 4, to insert the following new clause: '5. Nothing in this Act shall be construed so as to prohibit a local authority from admitting the public to its meetings, and, subject to the accommodation available, the public shall have the right of admission to meetings of local authorities at all times when the Press is admitted to such meetings under this Act.'"

The Commons propose to amend this Amendment by leaving out from the word "meetings" in line 2, to the end of the clause.

The Earl of Donoughmore 2047
The Earl of Onslow 2047
Lord Allendale 2047
Viscount Midleton 2048
The Earl of Crewe 2048
The Earl of Donoughmore 2048

Amendment, by leave, withdrawn.

Commons' Amendment agreed to.

Statute Law Revision Bill [H.L.] **Commons Bill** [H.L.]—Returned from the Commons agreed to. 2048

Education (Scotland) Bill Prevention of Crime Bill.—Returned from the Commons with the Amendments agreed to. 2048

Poisons and Pharmacy Bill [H.L.]—Returned from the Commons agreed to with Amendments. The said Amendments to be printed, and to be considered To morrow. [No. 270] 2048

Appellate Jurisdiction Bill [H.L.]—Returned from the Commons agreed to, with Amendments. The said Amendments to be printed, and to be considered To-morrow. [No. 271] 2049

Law of Distress Amendment Bill.—Returned from the Commons with the Amendments agreed to with Amendments. The said Amendments to be printed, and to be considered To-morrow. [No. 272] 2049

Constabulary (Ireland) Bill.—Brought from the Commons, and read 1^a; to be printed; and to be read To-morrow (The Lord Denman). [No. 273] 2049

Public Meeting Bill.—Brought from the Commons, and read 1^a; to to be printed; and to be read 2^a To-morrow (The Viscount Hutchinson (*E. Donoughmore*).) [No. 274] 2049

London Electric Supply Bill [H.L.]—Commons Amendment considered.

The Earl of Onslow 2049
The Earl of Crawford 2050
Lord Hamilton of Dalzell 2050

Moved, "That this House doth agree with the Commons in their Amendments."—(*The Earl of Onslow.*)

On Question, Motion agreed to.

London (Westminster and Kensington Electric Supply Companies Bill [H.L.]—Commons Amendments considered, and agreed to. 2051

Tuberculosis Prevention (Ireland) Bill.—Brought from the Commons and read 1^a; to be printed; and to be read 2^a To-morrow (The Lord [illegible]n). [No. 275] 2051

Water of Leith Purification and Sewerage Order Confirmation Bill.—Brought from the Commons and read 1^a; to be printed; and (pursuant to the Private Legislation Proceedure (Scotland) Act, 1899), deemed to have been read 2^a (The Lord Herschell), and reported from the Committee; and to be read 3^a To-morrow. [No. 276] 2051

House of Lords Offices.—Third Report from the Select Committee made, to be printed, and to be considered To-morrow. [No. 266] 2051

House adjourned at twenty minutes before Nine o'clock till To-morrow, Twelve o'clock.

HOUSE OF COMMONS: THURSDAY, 17TH DECEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Ards Railways Bill.—Lords Amendments, in pursuance of the Order of the House of 23rd July, considered, and agreed to 2052

Perth Corporation Order Confirmation Bill.—Lords Amendments considered, and agreed to 2052

Water of Leith Purification and Sewerage Order Confirmation Bill.—Considered; read the third time, and passed 2052

RETURNS, REPORTS, ETC.

Coal Mines (Eight Hours) (No. 2) Bill.—Seven petitions against; to lie upon the Table... 2052

Importation of Plumage Prohibition Bill.—Petition against; to lie upon the Table 2052

Scottish Local Authorities (Deputation Expenses).—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 374] ... 2052

Agricultural Statistics (Ireland).—Return of prices of Crops, Live Stock, and other Irish Agricultural Products for 1907–8; to lie upon the Table... 2052

East India (Advisory and Legislative Councils, etc.—Vol. I., Proposals of the Government of India and Despatch of the Secretary of State; to lie upon the Table

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Kildress Evicted Tenant 2084
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Land Purchase in North Kerry 2085
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Reforms in India.

The Under-Secretary of State for India (Mr. Buchanan, Perthshire, E.)... 2155

NEW BILLS.

Theatres Bill.—Presented by Mr. Robert Harcourt; to be read a second time to-morrow, and to be printed. [Bill 411] 2161

Statute Law Revision Bill [Lords].—Read the third time, and passed, without Amendment 2161

Constabulary (Ireland) Bill.—Order for Third Reading Read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. Barrie (Londonderry, N.) 2161
Mr. C. E. Price (Edinburgh, Central) 2162

Bill read the third time, and passed.

Poisons and Pharmacy Bill [Lords].—As amended (in the Standing Committee), considered.

Sir. W. J. Collins (St. Pancras, W.) 2163

Amendment proposed—

"In page 4, line 28, after the word 'dispensers,' to insert the words 'or of certified dispensers.' "—(*Sir W. J. Collins.*)

Agreed to.

Amendment proposed—

"In page 5, line 37, to leave out the word 'January,' and to insert the word 'April.' "—(*Mr. Herbert Samuel.*)

Agreed to. Bill read the third time, and passed, with Amendments.

Appellate Jurisdiction Bill [Lords].—As amended, considered; read the third time, and passed, with Amendments 2164

Commons Bill [Lords].—Considered in Committee, and reported without Amendment.

King's Consent and Prince of Wales' Assent signified.

Bill read the third time, and passed, without Amendment 2164

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Education (Scotland) Bill.—Lords Amendments considered, and agreed to. [Special Entry] 2164

Prevention of Crime Bill.—Lords Amendments considered, and agreed to 2164

Law of Distress Amendment Bill.—Lords Amendments considered.

Lords Amendment—

"In pages 1 and 2, to leave out Clauses 1 and 2, and to insert new clauses: (*a*) Under-tenant or lodger, if distress levied, to make declaration that immediate tenant has no property in goods distrained; (*b*) penalty; (*c*) payments by under-tenant or lodger to superior landlord; (*d*) exclusion of certain goods; (*e*) exclusion of certain under-tenants: (*f*) to avoid distress; (*g*) commencement of Act; (*h*) repeal of 34 & 35 Vict., c. 79; (*i*) definitions; (*k*) Act not to extend to Scotland."

Read a second time.

Mr. Courthope (Sussex, Rye) 2164

Sir F. Banbury (City of London) 2164

Amendment proposed to the Lords' Amendment—

"In Clause A, line 36, to leave out the word 'material.'"—(*Sir F. Banbury.*)

Question proposed, "That the word 'material' stand part of the Lords' Amendment."

Mr. Herbert (Buckinghamshire, Wycombe) 2165

Amendment negatived.

Amendment proposed to the Lords' Amendment—

"In Clause 3, line 8, after the word 'aforesaid,' to insert the words 'comprised in such inventory.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, withdrawn.

Sir F. Banbury 2166

Amendment proposed to the Lords' Amendment—

"In Clause E, line 1, afterthe word 'under-tenant' to insert the words 'or lodger.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

Mr. Herbert 2166

Amendment negatived.

Mr. Courthope 2166

Amendment proposed to the Lords' Amendment—

"In Clause E, line 1, to leave out from the word 'tenant,' to end of clause."—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Herbert 2167

Amendment agreed to.

Lords' Amendment amended in Clause F, line 4, by leaving out the words "whether by name or not."—(*Mr Sydney Buxton.*)

Mr. Courthope 2167

Lords' Amendment, amended in Clause G, line 2, by leaving out the word "January," and inserting the word "July."—(*Mr. Courthope.*)

Lords Amendment, as amended, agreed to.

Remaining Lords Amendments agreed to.

Public Meeting Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 1:

Mr. Radford (*Islington, E.*) 2168

Amendment proposed—

"In page 1, line 5, after the word 'person,' to insert the words 'of either sex.'"—(*Mr. Radford.*)

Question proposed, "That those words be there inserted."

Lord R. Cecil (*Marylebone, E.*) 2168
The Attorney-General (*Sir W. Robson, South Shields*) 2168

Amendment, by leave, withdrawn.

Mr. Radford 2169

Amendment proposed—

"In page 1, line 5, after the word 'meeting,' to insert the words 'held after the 31st day of December, 1909.'"—(*Mr. Radford.*)

Question proposed, "That those words be there inserted."

Lord R. Cecil 2169

Amendment negatived.

Clause agreed to.

Bill reported without Amendments.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Lord Robert Cecil.*)

Question put, and agreed to.

Bill read the third time, and passed.

Hops Bill.

Mr. Courthope (*Sussex, Rye*) 2170
Mr. Asquith 2172
Mr. Harold Cox (*Preston*) 2172
Sir W. J. Collins (*St. Pancras, W.*) 2173
Mr. Morton (*Sutherland*) 2174
Mr. Dundas White (*Dumbartonshire*) 2174
Lord R. Cecil 2175
Mr. Byles (*Salford, N.*) 2175

Order for Committee read, and discharged.

Bill withdrawn.

Housing of the Working Classes (Ireland) Bill.—Lords Reason for insisting on one of their Amendments to which this House hath disagreed, Lords Amendments to the Bill in lieu of one of their Amendments to which this House hath disagreed, and Lords Amendments to certain of the Commons Amendments to the Lords Amendments to be considered forthwith.—(*Mr. Joseph Pease.*)

Lords Reasons and Amendments considered.

Lords Amendments agreed to 2176

MESSAGE FROM THE LORDS.—That they have agreed to—Port of London Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1899, relating to the Edinburgh and Leith Corporations Gas." [Edinburgh and Leith Corporations Gas Order Confirmation Bill [Lords.] 2176

Port of London Bill.—Lords' Amendments to be considered To-morrow, and to be printed. [Bill 409] 2176

Edinburgh and Leith Corporation Gas Order Confirmation Bill. [LORDS].—Read the first time; and ordered (under Section 9 of the Private Legislation Procedure (Scotland) Act, 1899) to be read a second time To-morrow, and to be printed. [Bill 410.] 2176

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adourned at twenty-one minutes after Five o'clock.

HOUSE OF LORDS: FRIDAY, 18th DECEMBER, 1908.

Housing of the Working Classes (Ireland) Bill.—Returned from the Commons with the Amendments last made by the Lords agreed to, and with the Commons' disagreement to the Lords' Amendment not insisted upon 2177

PRIVATE BILL BUSINESS.

Edinburgh and Leith Corporations Gas Order Confirmation Bill [H.L.].—Returned from the Commons agreed to 2177

PETITIONS.

Coal Mines (Eight Hours) (No. 2) Bill.—Three petitions against: read, and ordered to lie on the Table 2177

Education (Scotland) Bill.—Petition for Amendment of: read, and ordered to lie on the Table 2177

RETURNS, REPORTS, &c.

India (Advisory and Legislative Councils, etc).—Vol. II. Part I.—Replies of the Local Governments, etc., Enclosures I to XX., to letter from the Government of India ... ...

Vol. II. Part II.—Replies of the Local Governments, etc., Enclosures XXI., to XXX., to letter from the Government of India 2177

Board of Education.—Reports from those Universities and University Colleges in Great Britain which participated in the Parliamentary Grant for University Colleges in the year 1906–7 2177

Trade Reports: Annual Series.—No. 4174, Norway. No. 4175, Italy ... 2178

Treaty Series, No. 34 (1908).—Exchange of Notes between the United Kingdom and France, renewing for a further period of five years the Arbitration Agreement. (Treaty Series, No. 18, 1903, 14th October, 1908) 2178

Colonies: Annual.—No. 590, Grenada 2178

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Inebriates Acts (Departmental Committee).—Report of the Departmental Committee appointed to inquire into the operation of the law relating to inebriates and to their detention in reformatories and retreats.

Presented, and ordered to lie on the Table 2178

Prisons (England and Wales) (Visiting Committees).—Draft of Rules proposed to be made by the Secretary of State for the Home Department under the Prison Acts, 1877 and 1898, with respect to the constitution of the Visiting Committee of Carmarthen Prison.
Laid before the House and ordered to lie on the Table 2178

BUSINESS OF THE HOUSE.—Standing Order No. XXXIX. considered (according to order), and suspended for the remainder of the session 2178

A DELAY IN PRINTING.

The Chancellor of the Duchy (Lord Fitzmaurice) 2178
Viscount St. Aldwyn 2179
Lord Fitzmaurice 2179
Lord Balfour of Burleigh 2179

Agricultural Holdings (Scotland) Bill [H.L.].—Read 3ª, and passed, and sent to the Commons 2180

Post Office Savings Bank (Public Trustee) (No. 2) Bill.—House in Committee (according to order). Bill reported without Amendment. Standing Committee negatived. Then (Standing Order No. XXXIX. having been suspended), Bill read 3ª, and passed.

Companies (Consolidation) Bill [H.L.]—Order of the Day for the consideration of the Commons' Amendments, read.

The Lord Chancellor (Lord Loreburn) 2180

Moved, That the House doth agree with the Commons in their Amendments down to Clause 101."—(*The Lord Chancellor.*)

Lord Ashbourne 2181

On Question, Motion agreed to.

Lord Loreburn 2181

Moved, "That the House doth agree with the Commons in their Amendments to Clause 102."—(*The Lord Chancellor.*)

On Question, Motion agreed to.

East India Loans Bill [SECOND READING].—Order of the Day for the Second Reading read.

Lord Fitzmaurice 2182

Moved, "That the Bill be now read 2ª."—(*Lord Fitzmaurice.*)

Viscount Midleton 2182

On Question, Bill read 2ª. Committee negatived. Then (Standing Order No. XXXIX. having been suspended), Bill read 3ª, and passed.

Tuberculosis Prevention (Ireland) Bill [SECOND READING].—Order of the day for Second Reading read.

Lord Denman 2182

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

Lord Ashbourne 2184
The Earl of Halsbury 2185
Lord Killanin 2185
Lord Denman 2186

On Question, Bill read 2^a.

Then (Standing Order XXXIX. having been suspended), committed to a Committee of the Whole House forthwith.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 to 11 agreed to.

Clause 12:

Lord Denman 2187

Amendment moved—

"In page 8, line 24, to leave out the words 'or workhouse hospital.'"—(*Lord Denman.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 13 to 19 agreed to.

Clause 20:

Lord Killanin 2187

Amendment moved—

"In page 11, to leave out Clause 20.'"—(*Lord Killanin.*)

Lord Atkinson 2188
Lord Denman 2189
The Marquess of Lansdowne 2189

On Question, Amendment agreed to.

Remaining clauses agreed to.

Standing Committee negatived. Amendments reported, Bill read 3^a, with the Amendments, and passed, and returned to Commons.

Poisons and Pharmacy Bill [H.L.].—Commons' Amendments considered (according to Order.

The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe)... 2190

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

The Earl of Crewe 2191

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

The Earl of Crewe 2191

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe*·)

On Question, Motion agreed to.

The Earl of Crewe 2191

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

Lord Ashbourne 2192

On Question, Motion agreed to.

Commons drafting Amendments agreed to.

The Earl of Crewe 2193

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

Commons verbal Amendment agreed to.

The Earl of Crewe 2193

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

The Earl of Crewe 2193

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

The Earl of Crewe 2194

Moved "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

Appellate Jurisdiction Bill. [H.L.]—Commons Amendments considered (according to Order).

The Lord Chancellor 2194

Moved, "That this House doth agree with the Commons in their Amendments."—(*The Lord Chancellor.*)

On Question, Motion agreed to.

Assizes and Quarter Sessions Bill [H.L.]—Commons Amendment considered (accordingly to order), and agreed to... 2195

Law of Distress Amendment Bill.—Commons Amendments to Lords Amendments considered, (according to order).

Lord Courtney of Penwith 2195

Moved, "That the House doth disagree to the Amendment made by the Commons in Clause (*e*), but in lieu thereof, after the word 'created' in line 4 of the said clause, to insert the words 'under a lease existing at the date of the passing of this Act.'"—(*Lord Courtney of Penwith.*)

The Earl of Halsbury 2197

On Question, Motion agreed to.

Moved, "That the House doth agree with the Commons in the said Amendments."—(*Lord Courtney of Penwith.*)

On Question, Motion agreed to.

Bill returned to the Commons.

THE STRENGTH OF THE ARMY.—Moved, "That an humble Address be presented to His Majesty for a Return in continuance of Army (213), 27th October: Showing on 1st January, 1909: (1) (*a*) Strength of Regular Army, officers and other ranks; (*b*) strength of Army Reserve, officers and other ranks; (*c*) Strength of Special Reserve, officers and other ranks; (*d*) Strength of Territorial Force, officers and other ranks, distinguishing different arms. Showing also, 1st October, 1905: (2) (*a*) Strength of Regular Army, officers and other ranks; (*b*) Strength of Army Reserve, officers and other ranks; (*c*) Strength of Militia, officers and other ranks; (*d*) Strength of Yeomanry and Volunteers, officers and other ranks. Also numbers wanted to complete on mobilisation: (*a*) Officers; (*b*) other ranks of the above forces on 1st January, 1909. Also estimated intake and output of Army Reserve annually, 1909–1915. Also estimated cost of 1 and 2 under each sub-head."—(*The Earl of Erroll.*)

On Question, Motion agreed to, and ordered accordingly.

Water of Leith Purification and Sewerage Order Confirmation Bill.—Read 3ª (according to order), and passed 2198

Summary Jurisdiction (Scotland) Bill.—Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons ... 2198

Local Government (Scotland) Bill.—Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons 2198

Crofters' Common Grazings Regulation Bill.—Read 3ª (according to order), and passed 2198

House adjourned during pleasure.

House resumed.

Port of London Bill.—Returned from the Commons with several of the Lords' Amendments agreed to; certain other Amendments disagreed to, with reasons for such disagreement 2198

Children Bill.—Returned from the Commons with the Amendments made by the Lords to the Commons' Amendment to the Lords' Amendments, agreed to. 2198

Coal Mines (Eight Hours) (No. 2) Bill.—Order of the day for receiving the Report of Amendments, read.

Moved "That this Report be now received."—(*Earl Beauchamp.*)

Lord Balfour of Burleigh 2199
The Earl of Crewe 2200
Lord Avebury 2202
The Marquess of Lansdowne 2203
Lord Knaresborough 2205

On Question, Report of Amendments received.

Then (Standing Order No. XXXIX. having been suspended) Bill read 3ª, with the Amendments, and passed, and returned to the Commons.

Constabulary (Ireland) Bill [SECOND READING].—Order of the Day for the Second Reading read.

Lord Denman 2206

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

On Question, Bill read 2ª. Committee negatived. Then (Standing Order No. XXXIX. having been suspended) Bill read 3ª, and passed.

Public Meeting Bill [SECOND READING].—Order of the Day for the Second Reading read.

The Earl of Donoughmore 2206

Moved, "That the Bill be now read 2ª."—(*The Earl of Donoughmore.*)

Lord Newton 2208

On Question, Bill read 2ª.

Then (Standing Order No. XXXIX. having been suspended) committed to a Committee of the Whole House forthwith.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

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Clause 1:

The Earl of Donoughmore 2209

Amendment moved—

"In page 1, line 8, to leave out from the word 'and' to the end of line 11.'"—(*The Earl of Donoughmore.*)

Lord Ashbourne 2210
The Earl of Donoughmore 2210
The Earl of Camperdown 2210
Viscount Midleton 2211

Amendment, by leave, withdrawn.

Bill reported, without Amendment; Standing Committee negatived, and Bill to be read 3ª to-morrow.

HOUSE OF LORDS OFFICES.—Order of the Day read for the consideration of the Third Report from the Select Committee.

The Chairman of Committees (*The Earl of Onslow*) 2211

Moved, "That the Third Report from the Select Committee be adopted."—(*The Earl of Onslow*).

On Question, Motion agreed to.

Local Government Provisional Order (No. 3) Bill.—Reported from the Select Committee with Amendments; and committed to a Committee of the Whole House to-morrow.

Port of London Bill.—Commons' reason for disagreeing to certain of the Lords' Amendments considered (on Motion).

Lord Hamilton of Dalzell 2212

Moved, "That this House doth not insist on its Amendments to which the Commons disagree."—(*Lord Hamilton of Dalzell.*)

Lord Desborough 2215
The Duke of Northumberland 2217
Lord Ritchie of Dundee 2217

On Question, Motion agreed to.

House adjourned at twenty minutes before Six o'clock, till To-morrow, Twelve o'clock.

HOUSE OF COMMONS: FRIDAY, 18TH DECEMBER, 1908.

The House met at Twelve noon of the Clock.

PRIVATE BILL BUSINESS.

Edinburgh and Leith Corporations Gas Order Confirmation Bill [LORDS].—Read a second time, considered, read the third time, and passed, without Amendment 2218

Thames Conservancy Bill.—Order [10th February], "That the Thames Conservancy Bill be committed," read, and discharged. Bill withdrawn.—(*The Deputy-Chairman.*) 2218

PETITIONS.

Enfranchisement of Women.—4 Petitions for legislation; to lie upon the Table 2218

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RETURNS, REPORTS, &c.

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, Nos. 4,174 and 4,175; to lie upon the Table 2218

Merchant Shipping, 1907.—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 375] 2218

Iron and Steel, 1907.—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 376] 2218

Coal Tables, 1907.—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 377].. 2219

Tea and Coffee, 1908.—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 378] 2219

Treaty Series (No. 34) 1908.—Exchange of Notes between the United Kingdom and France, renewing for a further period of five years the Arbitration Agreements; to lie upon the Table 2219

East India (Advisory and Legislative Councils, etc).—Vol. II., Part I. Replies of the Local Governments, etc. Enclosures I. to XX., to Letter from the Government of India; Vol. II., Part II. Replies of the Local Governments, etc. Enclosures XXI. to XXX., to Letter from the Government of India; to lie upon the Table... 2219

Private Legislation Procedure (Scotland) Act, 1899.—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 379] ... 2219

Inebriates Acts (Departmental Committee).—Report of Departmental Committee appointed to inquire into the operation of the Law relating to Inebriates, and to their detention in Reformatories and Retreats. Report, Minutes of Evidence, with Appendices and Indexes; to lie upon the Table 2219

Prisons (England and Wales).—Draft of Rules proposed to be made by the Secretary of State for the Home Department under the Prisons Acts, 1877 and 1898, with respect to the constitution of the Visiting Committee of Carmarthen Prison; to lie upon the Table, and to be printed. [No. 380] 2220

Board of Education.—Reports from Universities and University Colleges in Great Britain participating in the Parliamentary Grant in the year 1906–7; to lie upon the Table 2220

Higher Education (England and Wales).—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 381] 2220

Colonial Reports (Annual).—Report No. 590: to lie upon the Table ... 2220

Public Accounts Committee.—Copy ordered, "of Handbook to the Reports from the Committees of Public Accounts, Volume IV. (1901 to 1907), with Index comprehending the four Volumes (1857 to 1907)."
Copy presented accordingly; to lie upon the Table, and to be printed. [No. 382] 2220

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Royal Naval Reserve—Engineers and Engine Room Artificers 2220
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Training of Unemployed with the Navy 2221
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The Old-Age Pensions in London ... 2235
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Territorial Army—Regiments Combined—Position of Officers ... 2250
The New Session ... 2251

Port of London Bill.—Lords' Amendments considered.

Lords' Amendment—

"In page 2, line 2, to leave out the word 'ten' and insert the word 'twelve.'"

Read a second time.

The Parliamentary Secretary to the Board of Trade (Sir H. Kearley, Devonport) ... 2251

Motion made, and Question proposed—

"That this House doth disagree with the Lords in the said Amendment."—(*Sir Hudson Kearley.*)

Mr. Rowlands (Kent, Dartford) ... 2253
Mr. Russell Rea (Gloucester) ... 2254
Mr. Whitehead (Essex, S.E.) ... 2256
Mr. Pretyman (Essex, Chelmsford)... ... 2258
The President of the Board of Trade (Mr. Churchill, Dundee) ... 2259
Mr. Courtney Warner (Staffordshire, Lichfield) ... 2261
Mr. Adkins (Lancashire, Middleton) ... 2262
Mr. W. Thorn (West Ham, S.) ... 2262
Sir A. Spicer (Hackney, Central) ... 2263

Question put.

The House divided:—Ayes, 139; Noes, 32. (Division List No. 461.)

Lords Amendment—

"In page 2, after line 13, to insert, 'by the Kent County Council, 1. By the Essex County Council, 1.'"—

Disagreed to.

Subsequent Lords Amendments to the Amendment in page 6, line 29, agreed to.

Lords Amendment—

"In page 6, line 29, after the word 'requisite' to insert as a new subsection '(*c*) nothing in this Act shall authorise the appropriation or the utilisation for the purposes of this Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, fuel, or other allotments, or any land held on trusts which prohibit building thereon."

Read a second time.

Sir H. Kearley ... 2266

Motion made, and Question—"That this House doth disagree with the Lords in the said Amendment"—put, and agreed to.

Amendment proposed—

"In page 6, line 29, after the word 'requisite' to insert the words '(*c*) Nothing in this section shall without the consent of the Board of Agriculture and Fisheries authorise the acquisition of any common or commonable land or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground.'"—(*Sir H. Kearley.*)

Sir J. Jardine (Roxburghshire) 2267

Amendment agreed to.

Lords Amendment—

"In page 6, lines 30 to 37, to leave out subsection (2)"—

Agreed to.

Lords Amendment—

"In page 6, line 39, after the word 'person,' to insert the words 'not in the employment of any Government Department.'"

Read a second time.

Motion made and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Lord R. Cecil (Marylebone, E.) 2267
Sir H. Kearley 2268

Question put, and agreed to.

Remaining Lords Amendments agreed to.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of: Mr. Burns, Lord Robert Cecil, Mr. Churchill, Sir Hudson Kearley, and Mr. Frederick Edwin Smith.

Three to be the quorum.

To withdraw immediately.—(*Sir Hudson Kearley*).

MESSAGE FROM THE LORDS.—(Children Bill) That they agree to certain of the Amendments made by the Commons to the Amendments made by the Lords to the Children Bill, and agree to one other of the said Amendments, with Amendments, to which they desire the concurrence of this House; they agree to the consequential Amendments made by the Commons to the Bill, and do not insist on their Amendments to which the Commons have disagreed.

Children Bill.—Lords Amendments to Commons Amendments to the Lords Amendments to be considered forthwith; considered, and agreed to ... 2269

SITTINGS OF THE HOUSE.—Resolved, "That this House do meet To-morrow at Twelve of the Clock."—(*Mr. J. A. Pease.*) 2269

MESSAGE FROM THE LORDS.—That they have agreed to—Coal Mines (Eight Hours) (No. 2) Bill, with Amendments.

Law of Distress Amendment Bill.—That they agree to certain of the Amendments made by the Commons to the Law of Distress Amendment Bill, without Amendment, and disagree to one of the said Amendments, but propose an Amendment in lieu thereof, to which they desire the concurrence of this House 2269

Coal Mines (Eight Hours) (No. 2) Bill.—Motion made, and Question proposed, "That the Lords Amendments be considered forthwith."—(*Mr. Gladstone.*)

Mr. A. J. Balfour (City of London) 2269
The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 2269

Question put, and agreed to.

Lords Amendment—

"In page 1, lines 12 and 13, to leave out the words 'during the five years after the commencement of this Act.'"

Read a second time.

Mr. Gladstone 2270

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."—(*Mr. Gladstone.*)

Mr. Keir Hardie (Merthyr Tydvil) 2271
Mr. E. Edwards (Hanley)... 2272
Mr. Ponsonby (Stirling Burghs) 2273
Mr. Brace (Glamorganshire, S.) 2275
Lord R. Cecil 2276
Mr. Lupton (Lincolnshire, Sleaford) 2277

Question put, and agreed to.

Read a second time.

Agreed to.

Lords Amendment—

"In page 3, lines 19 and 20, to leave out the words 'during five years after the commencement of this Act.'"

Subsequent Lords Amendments to the Amendment, in page 3, line 19.

Motion made and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Keir Hardie.*)

The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 2278

Question put, and negatived.

Lords Amendment agreed to.

Lords Amendment—

Subsequent Lords Amendments to the Amendment in page 5, line 35, agreed to.

Lords Amendment—

"In page 5, line 35, to leave out subsection 2ᵃ."

Read a second time.

Sir S. Evans 2280

Question, "That this House doth agree with the Lords in the said Amendment," put, and agreed to.

Lords Amendment—

"In page 6, lines 11 and 12, to leave out the words 'as respects mines in the Counties of Northumberland and Durham.'"

Read a second time.

Mr. Gladstone 2281

Motion made, and Question proposed, "That this House doth disagree with the Lords in the said Amendment.'"—(*Mr. Gladstone.*)

Mr. A. J. Balfour... 2286
Mr. Markham (Nottinghamshire, Mansfield) 2287
Sir C. J. Cory (Cornwall, St. Ives) 2291
Mr. Fenwick (Northumberland, Wansbeck) 2292

Lords Amendment disagreed to.

Remaining Lords Amendments disagreed to.

A consequential Amendment made to the Bill.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of: Mr. Enoch Edwards, Mr. Secretary Gladstone, Mr. Herbert Samuel, Mr. Solicitor-General, and Lord Edmund Talbot.

Three to be the quorum.

To withdraw immediately.—(*Mr. Gladstone.*)

Law of Distress Amendment Bill.—Lords Amendments to Commons Amendments to Lords Amendments to be considered forthwith.

Motion made, "That this House doth agree with the Lords in their Amendment."—(*Mr. Herbert.*)

Mr. Ramsay Macdonald (*Leicester*) 2294
Mr. Herbert (*Buckinghamshire, Wycombe*)... 2294
Mr. Crooks (*Woolwich*) 2295
The Attorney-General (*Sir W. Robson, South Shields*) 2295

Question put, and agreed to.

MESSAGE FROM THE LORDS.—That they have agreed to:—Buxton Charity Bill; Long Ashton Charity Bill; Abbots Bromley Charity Bill; Post Office Savings Bank (Public Trustee) (No. 2) Bill; East India Loans Bill; Crofters' Commons Grazings Regulation Bill; Constabulary (Ireland) Bill; Water of Leith Purification and Sewerage Order Confirmation Bill; North British Railway Order Confirmation Bill, without Amendment. Tuberculosis Prevention (Ireland) Bill; Summary Jurisdiction (Scotland) Bill; Local Government (Scotland) Bill, with Amendments. Amendments to:—Post Office Sites Bill [Lords]; Companies Consolidation Bill [Lords]; Poisons and Pharmacy Bill [Lords]; Appellate Jurisdiction Bill [Lords]; London Electric Supply Bill [Lords]; London (Westminster and Kensington) Electric Supply Companies Bill [Lords]. Amendment to:—Criminal Appeal (Amendment) Bill [Lords]; Assizes and Quarter Sessions Bill [Lords], without Amendment. That they have passed a Bill, intituled, "An Act to consolidate the Enactments relating to Agricultural Holdings in Scotland." [Agricultural Holdings (Scotland) Bill [Lords] 2295

Tuberculosis Prevention (Ireland) Bill.—Lords' Amendments to be considered forthwith; considered, and agreed to 2296

Summary Jurisdiction (Scotland) Bill.—Lords' Amendments to be considered forthwith; considered, and agreed to 2296

Local Government (Scotland) Bill.—Lords' Amendments to be considered forthwith; considered, and agreed to 2296

Agricultural Holdings (Scotland) Bill [LORDS]. Read the first time; to be read a second time To-morrow, and to be printed. [Bill 412] 2296

Port of London Bill.—Reason for disagreeing to certain of the Lords' Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Churchill*) 2296

Coal Mines (Eight Hours) (No. 2) Bill.—Reasons for disagreeing to certain of the Lords Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Gladstone*) 2296

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at sixteen minutes after Seven o'clock.

HOUSE OF LORDS: SATURDAY, DECEMBER 19TH, 1908.

RETURNS, REPORTS, &c.

Irish Land Commission (Proceedings).—Return, for the month of October, 1908. Presented (by Command), and ordered to lie on the Table.

The British Museum Extension.

The Duke of Northumberland 2297
Lord O'Hagan 2297

Public Meeting Bill.—Order of the day for the Third Reading read. Moved, "That the Bill be now read 3ª."—(*The Earl of Donoughmore.*)

On Question, Bill read 3ª.

The Earl of Donoughmore 2299

Amendment moved—

"In page 1, line 5, to leave out Clause 1, and to insert the following new clause: '(1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transtion of the business for which the meeting was called together, shall be guilty of an offence, and if the offence is committed at a political meeting held during the progress of and in connection with a Parliamentary election he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding five pounds, or to imprisonment not exceeding one month. (2) Any person who incites others to commit an offence under this section shall be guilty of a like offence.'"—(*The Earl of Donoughmore.*)

Viscount St. Aldwyn 2299

Amendment moved—

"In the proposed new clause, lines 5 and 6, to leave out the words 'during the progress of and in connection with a Parliamentary election,' and to insert the words 'in any Parliamentary constituency between the date of the issue of a writ for the return of a Member of Parliament for such constituency and the date at which the return of the said writ is made.'"—(*Viscount St. Aldwyn.*)

The Lord Chancellor (Lord Loreburn) 2300

On Question, Amendment to the Amendment agreed to.

Amendment, as amended, agreed to.

Viscount Midleton 2300
Earl Beauchamp 2300
Viscount St. Aldwyn 2300

Then (Standing Order No. XXXIX. having been suspended), Bill passed, and returned to the Commons.

Local Government (Scotland) Bill; Summary Jurisdiction (Scotland) Bill; Tuberculosis Prevention (Ireland) Bill.—Returned from the Commons with the Amendments agreed to.

Law of Distress Amendment Bill.—Returned from the Commons with the Amendment made by the Lords to the Commons Amendments to the Lords Amendments agreed to.

Coal Mines (Eight Hours) (No. 2) Bill.—Returned from the Commons with several of the Amendments agreed to; with one of the Amendments agreed

to with an Amendment, and certain other Amendments disagreed to, with reasons for such disagreement. The said Amendment and reasons considered (on Motion).

The Lord Steward (Earl Beauchamp) 2301
Lord Balfour of Burleigh 2302
The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe) 2303
The Earl of Camperdown 2305
The Earl of Crewe 2305
The Marquess of Lansdowne 2306
Lord Balfour of Burleigh 2307
The Lord Chancellor 2308

Moved, "That this House doth not insist upon its Amendment to leave out the word 'January' and to insert the word 'July.'"—(*Earl Beauchamp.*)

Amendment moved—

"That this House doth not insist upon its Amendment to insert the word 'July,' but inserts instead the word 'October.'"—(*Lord Balfour of Burleigh.*)

On Question, Amendment negatived.

On Question, Motion agreed to.

Moved, "That this House doth agree with the Commons in their Amendment to insert the words 'and elsewhere on the first day of July, 1909.'"—(*Earl Beauchamp.*)

On Question, Motion agreed to.

Local Government Provisional Order (No. 3) Bill.—House in Committee (according to Order).

Amendments made by the Select Committee agreed to.

Report of Amendments received; Standing Committee negatived.

Moved, "That the Bill be now read 3ª."—(*Lord Allendale.*)

The Chairman of Committees (The Earl of Onslow) 2309
The Earl of Crewe 2310

On Question, Bill read 3ª, and passed.

House adjourned at five minutes before One o'clock, to Monday next, Two o'clock.

HOUSE OF COMMONS, SATURDAY, 19TH DECEMBER, 1908.

The House met at Twelve of the Clock.

RETURNS, REPORTS, ETC.

Irish Land Commission (Proceedings).—Return of Proceedings during the month of October, 1908, to lie upon the Table 2310

Truck Acts (Departmental Committee).—The Report of the Departmental Committee on the Truck Acts. Vol. I., Report. Vol. II., Minutes of Evidence (Days 1-37). Vol. III., Minutes of Evidence (Days 38–66) and Index, to lie upon the Table 2311

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QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Use of Circle Net in the Firth of Forth 2311
Gillespie *v.* Riddell 2311
Scottish Minor Legal Appointments 2311
Assistant Inspectors of Postmen at Glasgow 2312
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New Battleships—Great Britain, Germany, United States 2315
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Labourers' Cottages—Case of Hugh M'Cahery 2321
Purchase Price of Farm of Mr. John Burne of Tonlagee 2321

QUESTIONS IN THE HOUSE.

Swansea Schools and Education Grant... 2322

BUSINESS OF THE HOUSE (PROVISIONAL ORDER BILLS).—Motion made, and Question proposed, "That, as regards Provisional Order Bills returned by the House of Lords this day, with Amendments, such Amendments may be considered after the Government Orders of the Day."—(*Mr. J. A. Pease.*)

Lord R. Cecil (*Marylebone, E.*) 2324
Mr. J. A. Pease (*Essex, Saffron Walden*) 2325
Lord R. Cecil 2325

Question put, and agreed to.

Ordered accordingly.

Agricultural Holdings (Scotland) Bill [LORDS].—Order for Second Reading read.

The Treasurer of the Household (*Sir Edward Strachey, Somersetshire, S.*) 2352

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Edward Strachey.*)

Question put, and agreed to.

Bill read a second time.

Resolved, "That this House do immediately resolve itself into Committee on the Bill."—(*Sir Edward Strachey.*)

The House then resolved itself into Committee to consider the Bill.

Bill accordingly considered in Committee, and reported, without Amendment.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Mr. J. A. Pease*).

Mr. Harold Cox (Preston) 2327
Mr. Bowles (Lambeth, Norwood) 2327
Sir Henry Craik (Glasgow and Aberdeen Universities) 2327
Mr. J. A. Pease 2327
Lord Balcarres (Lancashire, Chorley) 2328
Mr. Morton (Sutherland) 2328

Question put, and agreed to.

Bill read the third time, and passed, without Amendment.

MESSAGE FROM THE LORDS.—That they have agreed to Public Meeting Bill, with an Amendment. That they do not insist on their Amendments to the Port of London Bill, to which the Commons have disagreed. That they have agreed to—Local Government Provisional Order (No. 3) Bill, with Amendments.

Public Meeting Bill.—Motion made, and Question proposed, "That the Lords Amendment be now considered."—(*Lord Robert Cecil.*)
Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Morton*).

Question proposed, "That the word 'now' stand part of the Question."

The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 2329
Mr. C. B. Harmsworth (Worcestershire, Droitwich) 2329
Mr. John Ward (Stoke-on-Trent) 2329
Mr. Wedgwood (Newcastle-under-Lyme) 2330
Mr. Vivian (Birkenhead) 2331
Mr. W. Thorne (West Ham, S.) 2331
Mr. Pickersgill (Bethnal Green, S.W.) 2332
Mr. Hemmerde (Denbighshire, E). 2332
Mr. Maddison (Burnley) 2334
Lord R. Cecil (Marylebone, E.) 2335
Mr. Crooks (Woolwich) 2337
Sir S. Evans 2339
Mr. Byles (Salford, N.) 2339
Mr. Rowlands (Kent, Dartford) 2340

Question put.

The House divided:—Ayes, 61; Noes, 21. (Division List No. 462.)

SITTINGS OF THE HOUSE.—Motion made, and Question proposed, "That this House do meet on Monday next, at Two of the Clock."—(*Mr. J. A. Pease.*)
Question put, and agreed to 2343

Local Government Provisional Orders (No. 3) Bill.—Lords Amendments to be considered forthwith; considered, and agreed to 2343

Whereupon Mr. Speaker, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at thirteen minutes after Two o'clock till Monday next.

HOUSE OF LORDS, MONDAY, 21ST DECEMBER, 1908.

PRIVATE BILL BUSINESS.

Local Government Provisional Order (No. 3) Bill.—Returned from the Commons with the Amendments agreed to 2345

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RETURNS, REPORTS, ETC.

Truck Act.—Report of the Departmental Committee on the Truck Acts. Vol. I., Report. Vol. II. Minutes of Evidence (days 1–37). Vol. III., Minutes of Evidence (days 38–66) and Index 2345

Board of Agriculture and Fisheries.—Agricultural Statistics, 1907, Vol. XLII., Part IV. Colonial and Foreign Statistics and Index.
Presented, and ordered to lie on the Table 2345

Destructive Insects and Pests Acts, 1877 and 1907.—Order, entitled the "American Gooseberry Mildew (Prohibition of Importation of Bushes) (Amendment Order of 1908 (No. 2)" 2345

India (Loans Raised in India).—Return of all loans raised in India chargeable on the revenues of India, outstanding at the commencement of the half year ended on 30th September, 1908, with the rates of interest and total amount payable thereon.

Laid before the House, and ordered to lie on the Table. 2345

Agricultural Holdings (Scotland) Bill [H.L.]—Returned from the Commons agreed to 2346

Public Meeting Bill.—Returned from the Commons with the Amendment agreed to 2346

Commission—THE FOLLOWING BILLS RECEIVED THE ROYAL ASSENT—

1. White Phosphorous Matches Prohibition.
2. Local Registration of Title (Ireland) Amendment.
3 Lunacy.
4. Post Office Consolidation.
5. Incest.
6. Criminal Appeal Amendment.
7. Local Authorities (Admission of the Press).
8. Statute Law Revision.
9. Commons.
10. Education (Scotland).
11. Prevention of Crime.
12. Housing of the Working Classes (Ireland).
13. Post Office Savings Bank (Public Trustee) (No. 2).
14. Companies (Consolidation).
15. East India Loans.
16. Poisons and Pharmacy.
17. Appellate Jurisdiction.
18. Assizes and Quarter Sessions.
19. Crofters' Common Grazings Regulation.
20. Children.
21. Constabulary (Ireland).
22. Port of London.
23. Law of Distress Amendment.
24. Summary Jurisdiction (Scotland).
25. Local Government (Scotland).

26. Tuberculosis Prevention (Ireland).
27. Coal Mines (Eight Hours) (No. 2).
28. Agricultural Holdings (Scotland).
29. Public Meeting.
30. Buxton Charity.
31. Long Ashton Charity.
32. Abbots Bromley Charity.
33. Education Board Provisional Orders Confirmation (Cornwall, etc.).
34. Kirkcaldy and Dysalt Water Order Confirmation.
35. North British Railway Order Confirmation.
36. Perth Corporation Order Confirmation.
37. Post Office Sites.
38. Edinburgh and Leith Corporations Gas Order Confirmation.
39. Water of Leith Purification and Sewerage Order Confirmation.
40. Local Government Provisional Order (No. 3).
41. Liverpool Corporation (Streets and Buildings).
42. Ards Railways.
43. London Electric Supply.
44. London (Westminster and Kensington) Electric Supply Companies... 2346

HIS MAJESTY'S SPEECH.—And afterwards His Majesty's Most Gracious Speech was delivered to both Houses of Parliament by the Lord Chancellor (in pursuance of His Majesty's Commands).

Then a Commission for proroguing the Parliament was read.

After which the Lord Chancellor said—

My Lords and Gentlemen.

By virtue of His Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in His Majesty's Name and in obedience to His Commands, prorogue this Parliament to Tuesday the Sixteenth day of February One thousand nine hundred and nine, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the Sixteenth day of February One thousand nine hundred and nine.

HOUSE OF COMMONS: MONDAY, 21ST DECEMBER, 1908.

The House met at Two of the Clock.

PETITION.

West Africa (Importation of Spirits).—Petition for suppression; to lie upon the Table 2351

RETURNS, REPORTS, &c.

Board of Agriculture and Fisheries.—Agricultural Statistics, 1907, Vol. XLII., Part IV., Colonial and Foreign Statistics and Index; to lie upon the Table 2352

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Destructive Insects and Pests Acts, 1877 and 1907.—Order, entitled the "American Gooseberry Mildew (Prohibition of Importation of Bushes) Amendment Order of 1908 (No. 2)"; to lie upon the Table 2352

East India (Loans raised in India).—Return of all Loans raised in India, chargeable on the Revenues of India, outstanding at the commencement of the half-year ending on the 30th September, 1908, etc.; to lie upon the Table, and to be printed. [No. 383] 2352

PARLIAMENTARY PAPERS.—Mr. SPEAKER laid upon the Table—List of the Bills, Reports, Estimates, and Accounts and Papers printed by order of the House, and of Papers presented by Command, Session 1908, with a General Alphabetical Index thereto, 28th Parliament, Third Session, 8th Edward VII., 29th January, 1908, to 21st December, 1908; to be printed. [No. 384] 2352

MESSAGE FROM THE LORDS.—That they do not insist on their Amendments to the Coal Mines (Eight Hours) (No. 2) Bill, to which the Commons have disagreed 2352

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Employment of Ex-Superintendent at Taunton Post Office 2352
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Cost of Elementary Education 2353
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QUESTIONS IN THE HOUSE.

Temperatures of Battleships—Stokeholes 2372
Woolwich Arsenal Discharges 2373
The Partition of Bengal 2373
Scottish Harvest 2375

Message to attend the Lords Commissioners.

The House went; and the Royal Assent was given to a number of Acts (see page 2346.)

And afterwards His Majesty's Most Gracious Speech was delivered to both Houses of Parliament by the Lord High Chancellor (in pursuance of His Majesty's Commands).

Then a Commission for proroguing the Parliament was read.

After which the Lord Chancellor said :

My Lords and Gentlemen,

By virtue of His Majesty's Commission under the Great Seal, to us and other Lords directed, and now read, we do, in His Majesty's Name, and in obedience to His Commands, prorogue this Parliament to Tuesday the Sixteenth day of February, one thousand nine hundred and nine, to be then here holden ; and this Parliament is accordingly prorogued to Tuesday, the Sixteenth day of February one thousand nine hundred and nine.

End of the Third Session of the twenty-eighth Parliament of the United Kingdom and Ireland in the Eighth Year of the Reign of His Majesty King Edward VII.

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THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

THIRD SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED
KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET
THE TWENTY-NINTH DAY OF JANUARY IN THE EIGHTH YEAR OF THE
REIGN OF

HIS MAJESTY KING EDWARD VII.

SIXTEENTH VOLUME OF SESSION 1908.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Monday, 7th December, 1908.

PRIVATE BILL BUSINESS.

Liverpool Corporation (Streets and Buildings) Bill.—Returned from the Commons, with the Amendments agreed to.

Ards Railways Bill.—The King's consent signified; and Bill reported, with Amendments.

Perth Corporation Order Confirmation Bill.—Read 1ª; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2ª (The Lord Herschell), and reported from the Committee. [No. 239.]

RETURNS, REPORTS, ETC.

REGISTRATION OF FIRMS ABROAD.

Reports from Colonial Governors, the Government of India, and His Majesty's Representatives abroad on laws and regulations in force in British Colonies and Possessions, in British India, and in Foreign Countries, respecting the registration of commercial firms.

EDUCATION BILL, 1908.

Correspondence relating to the Bill.

WORKMEN'S COMPENSATION ACT, 1906 (INDUSTRIAL DISEASES).

Order, dated 2nd December, 1908, made by the Secretary of State for the Home Department in pursuance of Section 8 (6) of the Act, extending to certain industrial diseases the provisions of Section 8 (subject to modifications) and amending the previous Order of 22nd May, 1907.

IRISH LAND ACT, 1903.

Instructions to inspectors, dated 12th November, 1908, supplemental to the instructions dated 9th March, 1906, issued by the Estates Commissioners under the regulations made by the Lord-Lieutenant, dated 5th March, 1906.

Presented (by command), and ordered to lie on the Table.

LUNACY.

Report to the Lord Chancellor of the number of visits made, the number of patients seen, and the number of miles travelled by the visitors of lunatics, pursuant to the Lunacy Act, 1890, between 1st April and 30th September, 1908.

FERTILISERS AND FEEDING STUFFS ACT, 1906.

Regulations, dated 9th November, 1908, intitled: The Fertilisers and Feeding Stuffs (Methods of Analysis) Regulations, 1908; the Fertilisers and Feeding Stuffs (General) Regulations, 1908.

DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Order No. 7616, dated 28th November, 1908, entitled the Foreign Animals (Amendment) Order of 1908 (No. 3); Order No. 7617, dated 28th November, 1908, prohibiting the landing of animals from the States of Maryland and Delaware, in the United States of America.

SHOP HOURS ACT, 1904 (BOROUGH OF BARNSTAPLE).

Order made by the council ot the borough of Barnstaple, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the borough.

LOCAL GOVERNMENT BOARD (IRELAND).

Public Health (First Series: Unsound Food) (Ireland) Regulations, 1908; Public Health (Foreign Meat) (Ireland) Regulation, 1908.

PATENTS AND DESIGNS ACT, 1907.

Designs Rules, 1908 (Second Set), dated 14th November, 1908.

CENSUS OF PRODUCTION ACT, 1906.

Rules made by the Board of Trade,

HOUSING OF THE WORKING CLASSES ACT, 1890 (CITY OF LEEDS).

Statement of further modification permitted by the Local Government Board in the City of Leeds (Quarry Hill Area) Improvement Scheme, 1900.

MOTOR CAR ACTS, 1896 AND 1903.

Regulation as to the restriction of the driving of motor cars on certain highways or parts of highways within the borough of Kendal, made by the Local Government Board under Section 6 of the Act of 1896 and Section 8 of the Act of 1903.

LOCAL GOVERNMENT ACT, 1888.

Orders under Section 57 of the Act, as confirmed by the Local Government Board, of the following county councils—

Chester.—For extending the urban district of Ashton-upon-Mersey so as to include parts of the urban district and township of Sale.

Essex.—For altering the boundary between the parishes of Brentwood and South Weald, and for altering the areas of the urban district of Brentwood and the rural district of Billericay.

Glamorgan.—For constituting the parish of Gelligaer an urban district, to be known as the urban district of Gelligaer, for transferring the parish of Rhigos from the rural district of Gelligaer and Rhigos to the rural district of Neath, and for abolishing the rural district of Gelligaer and Rhigos.

Kent.—For dividing the parish of Otford into two new parishes to be known as Otford and Dunton Green.

Kesteven, Parts of.—For defining the boundary between the parishes of New Sleaford and Old Sleaford.

Peterborough, Soke of.—For dividing the parish of Peterborough Without into two new parishes to be known as Longthorpe and Peterborough Without.

Worcester.—For uniting the parishes of Oldbury and Warley to form the parish of Oldbury.

Yorkshire, West Riding of.—For constituting part of the parish of Thurnscoe an urban district to be known as the urban district of Thurnscoe, and for uniting the remainder of the parish to the parish of Clayton-with-Frickley.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

ASSIZES AND QUARTER SESSIONS BILL [H.L.].

Returned from the Commons agreed to, with an Amendment.

WHITE PHOSPHORUS MATCHES PROHIBITION BILL.

Brought from the Commons and read 1^a; to be printed; and to be read 2^a To-morrow (The Lord-Steward (*Earl Beauchamp.*)) [No. 238.]

EDUCATION (SCOTLAND) BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

Lord HERSCHELL: My Lords, the Bill which I have the honour of introducing into your Lordships' House to-day has been spoken of and treated during its passage through another place as a non-contentious measure, and I think it is no exaggeration to say that its provisions are such as must appeal to your Lordships. I will, therefore, endeavour to state, as briefly as possible, the principal objects and provisions of the Bill.

There is no change made in the constitution of the existing authorities for education in Scotland, but there are various administrative reforms instituted with a view to causing the scheme of education to run more smoothly. For instance, extended powers, and in some cases new powers, are given to school boards, such as the means of dealing more expeditiously and more efficiently with defaulting parents, and also the provision whereby school boards may name two or more dates during the year for the beginning and ending of their classes, the object being to put an end to the continual depletion of the upper classes of schools which takes place owing to the fact that every child leaves immediately on attaining the age of fourteen. Then there are provisions for crippled and defective children. There is the provision whereby school boards are enabled to convey children from outlying parts of the area in vans to the school, and even permitting them to lodge the children during the week, always providing that the cost of lodging shall not exceed the cost which they would have incurred by conveying the children from their homes. There is also instituted a system of attendance certificates, by which it is hoped that one of the most acute problems which school boards have to face will be met—namely, the systematic ways in which tinkers and vagrants refuse to send their children to school.

These provisions, so far as they go, are perhaps of not such great importance as those dealing with the medical inspection and feeding of children. In future under the Bill county committees will draw up a scheme for the medical inspection of children, and where boards choose to approve the scheme half the cost will be borne. At the same time voluntary schools must, where they have not their own medical inspection, permit the inspector appointed by the board to come in and inspect. With regard to the feeding of children, there is a difference between the English Act and the system as laid down under the present Bill. Under the English Act the school boards provide food in the first instance, and where it is not paid for on the spot they have the power to recover the cost from the parents by the ordinary civil process. Under the present Bill, however, not only is the feeding of children dealt with, but where it is necessary also the clothing and cleaning of children. As in the English Act, the first cost of this is borne by the board, which then has the power to summon any parent and ask for an explanation why the child is in a neglected condition. If the parent is not able to give a satisfactory explanation, then the board has the power to prosecute under the head of cruelty to children, and, if the prosecution is upheld, the Court can make an order for maintenance in the future. If, however, the explanation given by the parent is satisfactory, and it is clearly proved that the condition of the children is due either to poverty or to ill-health, then the board has the power to continue to feed the children for such period as it may think fit. The board has also power to incur expense, apart from the actual provision of food, for providing meals, the object of this being to legalise a practice which is already fairly common in rural districts, and which is extremely laudable—the practice of providing during the winter months hot meals for the children.

I now pass to the question of continuation classes. In future it will be the duty of every school board to make suitable provision for continuation classes for all who may desire it; that is to say, there is compulsion on the board to provide these classes, although, of course, there is no compulsion upon the children to attend them, for the country is not yet ripe for such a provision. At the same time, the Bill does take a cautious step in this direction, for it provides that local authorities may, if they think fit, make bye-laws for compulsory attendance of children at continuation schools between the ages of fourteen and seventeen. Closely allied with this is the question of exemption. Under the existing law an exemption is allowed between the ages of twelve and fourteen, but the board is enabled to impose certain conditions of exemption. For instance, a child who is exempted during the summer months may have a condition imposed that it shall attend school during the winter months or at evening classes. The Bill extends the age up to which these conditions can be made from fourteen to sixteen. There is no doubt as to the probable advantage of exemption of this kind in cases of children who, though physically well advanced, have not reached the same standard of mental development, and also there is no doubt that this provision of extending the age to sixteen will induce boards to consider more favourably the question of exemption. The ultimate result as to education will be equally good, and at the same time there is every prospect of inculcating in children at an early age a love of the country.

Lord Herschell.

It is important that the distinction should be very clearly realised between the optional clause by which authorities are entitled to make attendance compulsory at continuation classes by a bye-law, and those provisions which are made in each individual case merely as conditions of exemption. The compulsory attendance at continuation schools has been in vogue in many German states for upwards of a quarter of a century, and it has been found to be of the greatest benefit there, not only by the authorities, but also, I believe, by the working classes. It is looked upon as a means of ensuring that the original outlay expended upon a child's education shall not be thrown away owing to the fact that the child at the age of fourteen suddenly gives up receiving any instruction at all. There is also another point. Whereas a child up to the age of fourteen has been under very strict discipline, in many cases it is extremely deleterious to the character of the child to be suddenly released from all supervision and thrown upon its own resources, as is often the case. In fact, many people regard this as a most potent factor in the growth of hooliganism in our larger cities. There seems, therefore, to be no reason why, in those places in Scotland where public opinion is sufficiently ripe, the localities should not be permitted to try the experiment which has been tried in other countries, and has met with great success. The power is, of course, very carefully guarded against any possible abuse. In fact, the question is rather, whether sufficient encouragement has been given to local bodies to adopt this provision of the Bill. I may also mention that it will in future be the duty of every school board, either by itself or conjointly with others, to maintain an agency for obtaining and distributing information with regard to employment, which it is hoped may do something to check the somewhat disastrous condition which at present obtains of children constantly falling into casual employment which gives no reasonable hope of a practical career in the future.

I pass to the question of pensions for teachers. This is, of necessity, somewhat complex, for we have to deal with several generations of teachers, not only with those who have completed their career or are about to complete it, but with those who are about to take up this career. Dealing in the first place with the former case, school boards are allowed to grant retiring allowances, and wherever they choose to do this, encouragement, and even pecuniary assistance, will be given to them. For the second class—that is to say, teachers who are about to take up the profession or who have just entered the profession—it is proposed to establish a superannuation fund, which will be derived from three sources. A portion will be contributed by the teachers themselves out of their salary, a portion will be contributed by the managers of the schools, and a portion will be contributed from the district fund. It is hoped that from these three sources sufficient money will be obtained to place the whole superannuation scheme upon a thoroughly sound financial basis.

As regards actual distribution, this, of course, must depend upon actuarial calculation. A scheme will eventually be laid before Parliament dealing with this matter; but there is one point laid down in the Bill, namely, that a teacher who shall leave the school for any reason, except for wilful misconduct, before he has attained the age at which he is entitled to a pension, shall receive back any contribution he has made to the superannuation fund, and this is also extended to the heirs and executors of a teacher who shall die prematurely. This clause was approved unanimously in another place. At the same time, it would be idle to disguise the fact that the increased benefits under the clause necessarily represent an increased cost; but, of course, a portion of this cost is borne by the teachers themselves by their contributions to the fund. And there is another point of view which I think is worthy of consideration. At present the State expends a very large amount of money by means of maintenance and subsidies for inducing young persons to take up the career of a teacher. It therefore appears that anything which would make the teaching profession more attractive would eventually tend to induce more people to take it up of their own accord, and therefore would reduce this outlay on the part of the State. It was with the object of providing additional attractions to the teaching profession that the clause with regard to the tenure of a teacher was inserted. This clause, while it still retains for the board the absolute power of dismissal of a teacher which the board at present has, at the same time allows any teacher who considers himself aggrieved to appeal to the Department, who, if they think fit, may ask the board to reconsider their decision, and in the event of the latter declining to do so, may, should it in their opinion be necessary or advisable or just, cause the board to pay the teacher a sum not exceeding one year's salary.

I should now like to say a word about the financial provisions in the Bill. Although these provisions may, perhaps, appear somewhat elaborate and intricate at first sight, the principle underlying them is an extremely simple one. In the first place, all moneys other than Treasury Grants under the Code will be pooled in one fund. This is an obvious advantage. This fund, which will be called the Education (Scotland) Fund, being formed, there will be a series of first charges upon the fund. These will be objects which may properly be called of a national description, such as assistance to the Universities where they make out a case, or to central technical institutions, or the contribution to the pension fund which I have already mentioned. When these first charges have been satisfied, the remainder of the general fund will be distributed among various districts of Scotland, which are, roughly speaking, the thirty-three counties and the six largest urban school board areas. It is in the distribution of the money among these districts that a novel principle has been introduced. Up to now, the money has always been distributed according to the population, and, in some cases, according to valuation; but it is proposed under the Bill that the money shall be distributed having regard to two things—first, the relative cost of education per head, and secondly, the relative valuation per head in the district. This principle is merely following the recommendations of the Minority Report of the Royal Commission on time, but, as I understand, there are two new ones. There is for one the provision of teachers' superannuation, and another for what is called national educational expenditure. I do not quite understand all that may be included under that head, but Parliamentary control is thoroughly preserved and, therefore, I shall not myself object to the terms of that particular provision. Clause 17, as I have said, distributes the money in the best possible way if you have resolved not to enlarge the areas for educational administration. The first three subsections in that clause, as I understand, make provision for aid for higher grade schools, and there is a careful provision to make sure that the aid will go where it is most required. The fourth subsection deals with endowed schools, and it is one of the gratifying features of this Bill that those schools which are not under public authority, but still under more or less private management, with certain public representation, will, according to their needs, participate in this money.

The next is a point on which I do one think the noble Lord touched. There is liberal provision to county committees to give bursaries in those districts where they are most required. That is one of the most valuable provisions of the Bill, because, although there are more bursaries in some parts of Scotland than are perhaps needed, there are other parts in which the supply is not adequate to the needs. There is also a provision with respect to medical inspection of children; and subsections (7) and (8) of Clause 17 enable county committees to provide for what are called itinerant teachers. Capital expenditure may be assisted out of this Parliamentary fund when the local authority cannot afford to incur it; and, as the noble Lord has told us, the superannuation of teachers is to be upon a better basis for the future than it has been in the past. A certain modified appeal is given to teachers in case of dismissal. It is not an absolute power, as it ought not to be, for the education authority to force the continued employment of a teacher, but it gives the Scottish Education Department a certain *locus standi* for mediation, and for seeing that capricious dismissals are not unduly resorted to. Those things were mostly mentioned by the noble Lord, and I think they will have the general support of your Lordships' House when the Bill gets into Committee.

But there are some things which seem to me to require explanation. I shall not go at length into them at the moment, because they are more points for Committee than for Second Reading; but as I understand the Committee stage is not to be long put off, it would, perhaps, be convenient that attention should be directed to them on the present occasion. The noble Lord occupied some part of his speech in explaining the clause which has to do with the new provisions for continuation schools. That is one of the matters which seem to me to require a good deal of explanation. The objects which the noble Lord and those who promote the Bill have in view will, I think, meet with your Lordships' warmest commendation. Their desire is to prevent the waste which arises when a boy or girl leaves school too soon and does not profit by the education received. The noble Lord looks forward, through the means of continuation classes, to finding a remedy for what he described as the hooliganism which prevails in the streets of some of our large towns. But I suggest that these clauses will require careful examination.

At the present time a school board in Scotland may excuse any child from attendance at school from the age of twelve if the child has passed a certain educational standard, and they may or may not attach conditions that up to the age of fourteen the child shall continue at evening classes. That is extended in this Bill to the age of sixteen. I venture to suggest that that is not the right way to deal with this particular matter. I do not think you can bind a child at the age of twelve for four years in advance to continue attending evening schools. It seems to me too long a period. But the other clause seems to me almost more serious. The school age ends at fourteen, and probably that is quite as late as it ought to end; but the third subsection proposes to give every school board—there are 972 of them in Scotland—power to order

Lord Balfour of Burleigh.

young people to go on attending evening classes up to the age of seventeen, and those concerned may have to go some two miles in the evening to these schools. Your Lordships will realise that in the country districts many young people go into farm service and many girls go into domestic service before they are seventeen years of age, and it seems to me that to give a practically uncontrolled power to all the school boards in Scotland to make this rather drastic provision requires careful examination. I do not, however, pronounce absolutely against it at the present time; all I say is that it seems to me to require very careful examination and consideration at a subsequent stage.

Clause 8 of the Bill also seems to me to require some consideration. It greatly adds to the power of the school boards in regard to those who are defaulting in their attendance. At the present time a summons has to be taken out, and the Court adjudicates as to whether a child is to be ordered to attend a school compulsorily or not. In the clause as now altered it is proposed to give the school board power of its own motion to order attendance, and only to give an appeal to a Court of law if the individual is dissatisfied. And I think that some of the provisions in regard to those bursary funds which are to be handed over to county committees are very drastic and almost unjust. I know that in some cases these funds amount to several hundreds or pounds. They have been reformed within the last twenty-five years. Representatives of public authorities have been put on these trusts, and it seems to me a little hard that those authorities should be now entirely deprived of their administration, and the funds handed over to the county committees. I do not think there is sufficient guarantee, as I read the Bill, that those districts which, either by their own liberality or by the advantage of pious founders, have a large number of bursaries, will retain anything like a corresponding advantage in the future to that which they enjoy at the present time. This, however, is a matter for Committee, but I mention it as a point on which I have received a good many representations and one well worthy of consideration.

Then I cannot share the admiration which the noble Lord expressed for the form of the audit clauses. As the Bill was introduced, the audit clauses were to my mind very satisfactory. They were a copy of the clauses which existed under the Local Government Act for Scotland. They gave any dissatisfied ratepayer power to call the attention of the auditor to anything he thought wrong; the auditor could then report to the authority—in this case to the Scottish Education Department—and the Department had power to surcharge. Now the clause is so changed that all the ratepayer can do is to call the attention of the auditor, and, if he chooses, of a Court to the illegal expenditure. There is a most extraordinary provision in the clause, and, as I read it, no matter how grave the malversation, no matter how deliberate the wrong expenditure, there is no power, on the first occasion of it, to call the local authority to account. I understand that a dog which is supposed to be dangerous is always allowed a first bite before it can be destroyed or before its owner can be made to indemnify the person who is bitten. That may be a reasonable provision for establishing whether the dog is dangerous or not; but it seems to me to be carrying it rather too far to say, in the case of the local authority, that no matter how gross their malversation may be, they are to get off on the plea that it is their first effort. Supposing a school board is convicted of having done something wrong and a new election takes place, I should like to know whether the new board will be allowed another first bite, or will the discredit attaching to the improper action of the first board be counted against that parish for all time to come? I shall certainly make an effort to have the audit clauses restored to the condition in which they stood when the Government introduced the Bill.

The first blot on the Bill which I most regret is that the Government have not made up their minds to enlarge the educational areas in Scotland. Your Lordships, of course, know that the area for educational administration in Scotland is the parish; in England it has been changed to the county and the larger county boroughs. I quite agree that, having regard to all the circumstances, it would probably be impossible, in the present state of public opinion, to make the county the area for Scotland. But, on the other hand, I think it can hardly be denied that, when you come to areas, the parish is much too small for the purposes of secondary education. I believe that is practically universally felt in Scotland. You have to choose between two difficulties—taking away the complete parish control over public elementary education from the parochial authority and to some extent merging it in a larger area, or running the danger of being crippled for secondary education. I think the latter is the larger of the two dangers. It is hopeless, I believe, to make the change at this time, but I record as my own opinion that a great opportunity has been lost, and that it would have been very much better to have enlarged the areas. There are 972 school boards in Scotland; 647 of them have only five members, and 262 have only seven members, showing that their population must be very small. It is absolutely impossible that in small areas of this kind you can ever have a thoroughly efficient system of secondary education, and unless they are amalgamated for all purposes, unless they are rated together, unless they are accustomed to sit together for administrative purposes, you will never get that cohesion, that unity of interest, and that conjoint character for the education of the whole district which you can get if you join them. I hold to the opinion which I and my successor in office embodied, that some larger area than the parish is necessary. I believe that in the main the combination which is known as the district committee would in most counties have worked with great success. I frankly say that I think it would be impossible for this House to attempt to make the alteration at this stage. If we did so we should in all probability imperil the Bill, which I do not desire to do. But I do record my opinion, for what it is worth and to save my own consistency, that the Government have in this particular matter lost a great opportunity of which, with a little more courage, they might have taken advantage.

The other matter which I regret is the continuance of the cumulative vote in school board elections. As the Bill was introduced, or at any rate, in some of its stages, the Government had a clause which did away with that system of voting which is generally discredited in Scotland. It has been done away with in England, and I think that it is not too late to remedy that defect even now. Personally I would like to preserve the rights of minorities and to obtain the exact reflex of opinion in the constituencies by introducing the system of the single transferable vote. It would be a simple Amendment and would, I believe, meet with approval from the majority in Scotland. This matter has never been discussed in the other House of Parliament. By a series of unfortunate events the clause which did away with the cumulative vote was not reached in the other House. The Bill was discussed in Grand Committee and there was a good deal of cross-voting, which I am not in a position to analyse because the reports of what goes on in those Committees are not easily understood by those who were not present. But what happened on the Report stage was this, that the clause was not reached until some five or ten minutes before the time when that stage of the Bill had to be finished. I make no sort of charge of breach of faith against the Government. They were entirely the victims of circumstances, and were not responsible. But when it is the fact that the present system of cumulative voting is thoroughly discredited in Scotland and most people are anxious to see it done away with, it seems to me unfortunate if neither House of Parliament is given an opportunity of considering the matter on its merits. I shall not go further into it at the present time. In this morning's newspapers there is an illustration of how the system which I advocate worked, and out of 21,690 voting papers returned, there were only eighteen papers spoiled. For a first attempt that seems to me an extremely creditable result. I altogether deny that the people of Scotland are less intelligent in such matters than the people of England, and I believe they will be able to grasp the difficulties, such as they are, of this system with the greatest ease. I intend to put down an Amendment on the subject, not in any controversial spirit, but in order that the question may be discussed fairly and on its merits. I have studied the Bill with great care and welcome it cordially, for I believe that it will do great good to Scottish education; and nothing I have said has been intended in any way to embarrass the Government in carrying it to a successful conclusion.

*LORD REAY: My Lords, like the noble Lord who has just sat down, I cordially welcome this Bill, and I know that in Scotland there would be general disappointment if the Bill were not carried. I desire to say a few words in the first place, upon what my noble friend has described as one of the blots on the Bill—namely, the absence of any provision for expanding the area. There is undoubtedly a strong feeling that the school board area is too limited, especially in respect of secondary education. But as regards primary education I do not think that the disadvantages are so great as they have been often described. The remedy which the Bill gives of combining school board areas is at all events a remedy which can to a certain extent obviate the difficulties where they are felt, but the advantage of a small school board area is that it gives parents in small parishes a direct interest in the parish school as their school. That is in accordance with the historical development of education in Scotland, and it is an advantage which I would not willingly forego.

What my noble friend said with regard to the cumulative vote was, I think, rather strong. I believe there is in many quarters in Scotland a desire that it should be abolished, but as the matter will come before your Lordships when the Bill is in Committee, through the Amendment which my noble friend has intimated his intention of moving, I do not wish to enter into detail upon it now. Whatever is done, I trust that guarantees will be given for the representation of minorities on the school boards. It is extremely important that all sections of the community should be represented. I approve of the power given in the Bill to divide a school board district into electoral divisions, and I also approve of Clauses 7 and 8 [Provisions as to parents' obligation and school attendance, and power for school board to pronounce attendance order] of the Bill. With regard to rural schools, I consider it of the utmost importance to give encouragement to technical training, by which I understand cookery, laundry work, dairying, dressmaking, and gardening for girls over twelve years of age—a practical knowledge of these subjects will be of incalculable value in the homes—and agriculture, horticulture, woodwork, cookery, and dairying for boys.

Let me mention what is done at the Ednam School in Roxburghshire. This is the time-table:—Monday, boys and girls, dairying; Tuesday, boys and girls, cookery; Wednesday, boys gardening, girls dressmaking; Thursday, boys and girls, dairying; Friday, boys woodwork, girls gardening. During the winter months dairying is discontinued, laundry-work being taken by the girls and some other subject by the boys. Samples of the work done at this school were shown at the Franco-British Exhibition. That the ordinary work of the school was not neglected, but kept up to a high standard, is shown by the fact that 15 per cent. of the scholars have passed the qualifying examination, 5 per cent. above what His Majesty's inspectors consider "excellent." Great credit, I think, is due to Mr. and Mrs. Macdonald, the teachers of the school, for the admirable organisation of the school. In a competition for butter-making in Edinburgh the first prize was obtained by four pupils of this school aged thirteen, and the school obtained a silver cup; this being a competition in which professional dairymaids competed.

The provision in the Bill for continuation classes is, in my opinion, a most valuable reform. One of the causes of unemployment is undoubtedly the fact that pupils who leave the primary school are emancipated and left without guidance. The Bill makes compulsion optional. I admit that it would have been difficult to apply compulsion generally, especially in the rural districts, because at present you have not at your disposal a sufficient supply of the special kind of teachers required to make these continuation classes attractive. If they are to meet the varying needs of different districts the provisions must be elastic in respect to the curriculum of continuation classes. I wish to urge on the Department to give every encouragement to the special training of teachers for these classes.

I wish to call attention to an experiment which was made at Ardenconnel in November, 1907, to establish for young farmers what in Denmark is called a people's high school. I believe the experiment was very successful, and I should like to see it repeated. The influence of these schools in Denmark with regard to moral, intellectual, and physical culture has been remarkable. In Glasgow a joint committee was instituted for co-ordination of the work of continuation classes in the neighbourhood and the work of the West of Scotland Technical College, and the result has been most satisfactory. The certificates given to those pupils who have attended the continuation classes are accepted for entrance to the well-organised evening classes of the technical college, which provides efficient teachers for the continuation classes. Besides the continuation classes, the Bill contains a provision in Clause 3, subsection (5), to which no attention has yet been called, but which I consider of the highest importance, namely, the power given to the school board to maintain or combine with other bodies to maintain any agency for collecting and distributing information as to employments open to children on leaving school. I trust that very great use will be made of this provision. I believe this may be made an instrument of inestimable value in arresting the process of deterioration which is inevitable if, on leaving school children are not given the proper training required in the case of skilled labour. In London the Apprenticeship and Skilled Employment Association last year placed 512 children in various recognised trades, either as apprentices or learners.

The next link in the general chain of education in Scotland is the higher grade school. The higher grade school is a very important institution, the education given there is of a general character, and it is only on leaving the higher grade school that a more special course of instruction may be entered upon scientific and technical or commercial or on more general lines. The Bill, as the noble Lord who moved the Second Reading in such a lucid manner pointed out, provides for secondary education, and I trust that liberal grants will be made to secondary and intermediate schools. Formerly the higher subjects were taught in elementary schools. This system had to be abandoned because the demands as regards primary education were more exacting and the conditions of entrance to the Universities were raised. This involves the duty of making the secondary schools efficient and accessible. The Bill provides for this through bursaries, hostels, and payment for scholars not belonging to the district in which the secondary school is situated, and I welcome these provisions. One of the results of the Bill should be an increase of the salaries of teachers in secondary schools in order to obtain the services of thoroughly competent teachers, and I trust that the Department will give some attention to this matter. Secondary schools in which classics are taught, as well as those giving an education of a more scientific and modern character, are essential to the progress of education.

The leaving certificates for groups of studies and their optional character are, I take it, intended to raise the standard of education in secondary and intermediate schools. This cannot be achieved unless the staff of those schools is carefully selected and adequately remunerated. I am sure that the Department keeps this in view, and is aware that Scotland desires to have an abundant supply of secondary and intermediate schools, which are certainly as important as, if not more important than, the Universities and central schools, which are dependent on a supply of students having had an efficient preliminary training in those schools. In order that the policy of the Department with regard to leaving certificates may reach its ultimate goal, it is very desirable that the University courses should be the sequel of the studies which have led up to the leaving certificate. I do not wish in any way to cripple the autonomy of the Scottish Universities, but I advocate a thorough understanding between the Department and the Universities with regard to this very important point. I was very glad to see, in the last very interesting Report on Secondary Schools issued by the Department and edited by Mr. Struthers, that the supply of higher grade and secondary schools may now be considered almost complete.

My noble friend, Lord Herschell, has given a very clear explanation of the provision in the Bill for better conditions of superannuation for teachers, and I trust that this may lead to more men being attracted to the teaching profession. There is an abundant supply of female candidates, but at present there is, I believe, a great deal of difficulty in persuading men students to come forward to be trained as teachers, although the conditions of training both for secondary and elementary schools have been carefully adapted to professional exigencies by the provincial committees.

I now come to a very important class of schools for which the Bill makes adequate provision—the technical and agricultural colleges. These colleges must retain—the Bill does not touch this—independent management and control of their financial arrangements, but I would press for a very close connection being established between the Universities and the technical and agricultural colleges. The professors should be University professors or lecturers ; they should have the standard of attainment and qualifications of University teachers, and the students ought to be considered as University students so that they may obtain University degrees. One of the most admirable institutions, of which every Scotsman is justly proud, is the West of Scotland Technical College at Glasgow. It is admirably equipped for the purpose, and has in its staff and laboratories, and in its course of studies all that is required to meet the most exacting, and the highest demands of University teaching, and of scientific research. Affiliation of this college to the Glasgow University would increase the sphere of usefulness of the latter as regards applied science, for which there should be instituted a separate faculty in the University.

This also applies to the Heriot-Watt College in Edinburgh. The standard of work required for a diploma at the Heriot-Watt College is quite as high as that required for a University degree. The difference is that the instruction in this college is more practical and more use is made of the laboratory than at the University, and the standard of general education of the students at entrance is, perhaps, not so high. A diploma is also given at the college to students who have taken their B.Sc. degree in the University and who come to the Heriot-Watt College in order to attend post-graduate courses on the lines of their previous studies at the University. Besides civil engineering, degrees in mechanical, electrical, mining, chemical, and metallurgical engineering should be established in the University, and the special instruction given at the Heriot-Watt College in these subjects should be recognised by the University. Engineering students might be sent to the Heriot-Watt College for chemistry and physics, instead of having to attend a course of instruction drawn up at the University for medical and M.A. students. The University should also recognise the post-graduate courses at the Heriot-Watt College in metallurgy, electro chemistry, applied analytical chemistry, and technical mycology as well as electrical and mechanical engineering, and the principal professors and lecturers in the Heriot-Watt College should be appointed as University lecturers. This would enormously strengthen the University staff and equipment in applied science.

Both in regard to Glasgow and Edinburgh the present situation is quite anomalous. At the West of Scotland Technical College and at the Heriot-Watt College the instruction given is of the most advanced character, and at the same time it does not form an integral part of the University curriculum, as it should. There is no legal difficulty. Sections 3 and 15 of the University Act of 1889 enable a college to be affiliated without losing its autonomy. I have considered whether an Amendment should be introduced into the Bill on this subject, which is a most important one for the development of higher education, but I do not think it is necessary. I think the Act of 1889 provides all that is required. In Aberdeen a proper solution has been given to the relations which should exist between a University and a Central Institution, whether technical or agricultural. The Aberdeen University takes a lively interest in the development of the North of Scotland College of Agriculture, and provides capacious accommodation for lectures and laboratory work. The college and the University are closely allied. Professors of the University are appointed as college lecturers, and the progress of the college, considering its recent beginning, has been striking.

In Edinburgh nearly all the leading subjects in the agricultural degree course are taught in the University by University professors and lecturers, and only those degree subjects are provided by the East of Scotland college which the University has no funds to support. There, again, the alliance between the University and the college might be made closer. In Glasgow the important subjects are taught in the West of Scotland Agricultural College and the association with the University is harmonious but ought to be closer, because the University depends for its agricultural students on the teaching of the college for seven of the twelve courses. Letters seeking advice are received by the college every day, and the extension lectures and experiments are well attended. The college experiment station has proved a most effective means of securing the interest of farmers in the outlying districts who are now quite alive to the benefits of agricultural science.

The three colleges conduct local demonstrations, lectures in the country, and field experiments, and appoint organisers in the outlying counties. Agricultural education in its different grades will be organised throughout Scotland by these three colleges. I thoroughly approve of the provision in the Bill which is to be found in Clause 17, subsection (7), which contemplates the co-ordination of this work, so important from an agricultural point of view. It would be well if the governors of the three colleges would appoint a joint committee, not for the purpose of interfering with the management of the individual college, but for the purpose of exchanging opinions on the means required to promote agricultural education and the experience gained in each college.

Research must be encouraged in the agricultural colleges, and original work by the teachers, as well as post-graduate work. There is also a danger in requiring too many subjects at the expense of thoroughness and sometimes at the expense of a proper co-ordination of subjects, as, for instance, in giving an option between mathematics and biology, so that an agricultural student could take the degree with no knowledge of botany. Such eccentricities ought to be corrected. In America schools of domestic economy for girls have been attached to agricultural colleges. I should like to see this subject taken up by the three agricultural colleges, and courses of domestic economy started in the rural districts. For agricultural colleges as well as technical colleges it is of the utmost importance that on the governing bodies there should be practical agriculturists and manufacturers.

The Bill wisely leaves the autonomy of the Universities quite intact, and I believe the Universities approve of the Bill and hope that it may be passed. A question which naturally arises, after the description I have given of the present needs of education in Scotland, is whether the resources of the education fund—I heartily welcome the establishment of this fund, and approve of the manner in which it will be administered—will be sufficient to fulfil the expectations raised by the Bill. There is no doubt that more money will have to be spent especially on agricultural, on secondary education, and on continuation classes. Although I am rather sceptical with regard to the sufficiency of the means placed at our disposal by the Bill, it will have, perhaps, one good result—namely, to secure very careful administration, and to avoid overlapping. I do not wish to see any branch of our education in Scotland receiving preferential treatment at the expense of another branch, and I am sure that the Department will take care that in the distribution of the funds available even-handed justice will be practised. The system of the various grades of education—primary, intermediate, secondary and higher education—is now well defined in Scotland, and on a firm footing. It has also sufficient elasticity.

The Bill makes no provision for a consultative committee. The Bill, undoubtedly, gives great power to the Department. If it is wisely exercised, I do not object to it. In order to obtain a proper correlation of educational agencies and a proper distribution of available funds a central authority is essential. It is perfectly compatible with local initiative, and it need not lead to a disastrous bureaucratic *regime*, prescribing hard and fast rules applicable to a great variety of conditions. I am convinced, from its past history, that the Department does not intend to dictate to the various educational authorities in Scotland, but I think that some opportunity should be given to experts in Scotland to discuss the educational needs of the country. The Department would have derived benefit from such an expression of opinion. I do not wish to remove the Department to Edinburgh, in which case I think its power would have been increased, as it would be less in touch with the responsible Ministers, and with Scotch representatives during the Parliamentary session; but the situation which this creates makes it, in my opinion all the more desirable that there should be some link between the Department and Scotch educationists on the spot. Educational problems are constantly arising, and for their solution the advice of those who have practical experience of the points at issue would be of great value, as it has been of value in England. This Bill will, I think, make it possible for Scotland to have a system of education which is thoroughly national, and which corresponds with the religious and moral ideals of the nation. The general tendency is to contract in, not out, and if one could apply the two-Power standard to education, I think Scotland would certainly be prepared to adopt it. I trust that some day England may be placed in a similar position, and have the privilege and benefit of a national system such as we have in Scotland.

*THE EARL OF MAR AND KELLIE: My Lords, this House has not recently taken kindly to measures emanating from the Scottish Office. It is, therefore, with greater pleasure that we can congratulate the Government on having evolved from that quarter a piece of really useful legislation as laid down in the Bill under discussion to-day. I think, in spite of what the noble Lord, Lord Balfour, has said, the Scottish Office is wise in not having attempted to tackle the question of the enlargement of the educational areas from the parish or the town to the county or the district—a change which has been pressed for from more than one quarter on the ground of economy and increased efficiency.

Clause 22 of this Bill, as I understand it, gives the opportunity for amalgamating some of the smaller school board districts, which may prove of great value; but, after all, ever since the days of John Knox the parish has been the unit of local educational government in Scotland, and I do not believe that any economy worth mentioning would result from so radical a change as has been suggested. Such a change has been carried out in England under somewhat different conditions, but I do not gather that it has resulted in economy to the rates. Moreover, in Scotland, risk would arise of diminishing local interest, which has always been a satisfactory feature of educational matters north of the Tweed. And if you lose interest, you may surely lose something of efficiency also. Experience teaches us that all reforms cost money, however much on the surface they may appear to promise economy; and in this instance officers would have to be pensioned, higher salaries given, larger offices provided, and so on, making it scarcely possible that any economy whatever would result from a drastic enlargement of the educational area, Therefore, although I am aware that I am not voicing the opinion of many noble Lords on this side of the House, I think the Government are wise in having steered clear of a difficult problem.

I think the proposals in this Bill which relate more particularly to secondary education are of great value. I do not propose to go into these subjects. They have been exhaustively treated by my noble friend below me and by the noble Lord who has just sat down. But as regards the finance of the education fund, it appears to me that in one instance you are to some extent robbing Peter to pay Paul. You are taking a grant of £60,000, mentioned in subsection (3) of Clause 15, to swell the education fund. This grant, hitherto, has been paid to the county and town councils, and has almost invariably been applied by them to the relief of the rates. They may have been wrong in so applying it, but the fact remains that if you divert it to another purpose it will mean an inevitable increase in the county and burgh rates, in some cases a somewhat considerable increase As a manager of a voluntary school, I think I can say that this Bill deals fairly with those schools as far as it goes, although it does not give them that preferential treatment by way of Government grant which they claim. The maintenance of these schools up to the standard of efficiency set by the board schools is always a struggle, but I do not think that that struggle is made more severe by anything in this Bill. In fact, rather the reverse, because the provision of free books is a valuable concession; they will also get medical inspection of their children for nothing, and they are promised a fair share of any extra grants which may be going.

Serious objection has been taken to the clause which empowers the Secretary for Scotland to surcharge members of a school board for exceeding their powers in respect to expenditure. I am glad the Government have stood firm on that point, for, after all, the school boards under this Bill are being given largely extended powers, and it is extremely important that they should not exceed those powers. Now that the eventual referee in such cases is to be the Court of Session, I do not see any valid objection to the clause as it now stands. With regard to that part of the Bill which refers more particularly to elementary education, the only thing which can militate against its success is niggardliness on the part of the Treasury. I do not think the Government realise the probable effect on the rates of their proposals in this Bill. Unless they are prepared to make substantial additions to the grant per child in average attendance, I am afraid that the medical inspection of children, the provision of free books to voluntary schools, the possible feeding of destitute children, and so on—all excellent proposals in their way—will be in danger of becoming a dead letter. I am aware that the Secretary for Scotland stated that there would be sufficient out of the residue of the education fund to pay an extra grant of 2s. per head per child. I am convinced that that sum will be nothing like sufficient to recoup the school boards for bringing that part of the Act into force and working it properly.

Many of your Lordships may not realise the great increase which has taken place in the school rate in recent years. To illustrate this point, even at the risk of wearying your Lordships, I will quote, very shortly, from the accounts of a school board administering education in a burgh of some 12,000 inhabitants, with which I am familiar, in the centre of Scotland. In the year 1874, the first year of the school board, the assessable rental was £48,000 and the rate only 3d. in the £, divided between owners and occupiers; in 1883 the assessable rental was £64,000, and the rate had risen to 4½d.; in 1893 the assessable rental was £75,000, and the rate 8d.; in 1903 the rental was £85,000, and the rate had risen to 1s. 3½d.; and this year, with an assessable rental of £110,000, the rate is 1s. 6⅜d. That is to say, from 1874 to 1908, although the assessable rental had more than doubled, the school rate has increased more than six times. I may mention incidentally that there are in this burgh two voluntary schools which are calculated to save the rates to the extent of fully 4d. in the £., and it is this saving to the rates that constitutes the chief claim of these schools to generous preference from grants. These schools do not ask or expect rate aid, because they will not tolerate public control. I admit that at the present time they receive a slight preference in the shape of a small aid grant, but, in view of the large saving which these schools actually afford to the rates, I submit that they are entitled to a far more generous preference in the shape of State aid than they receive at present. In the English Education Act, now happily or unhappily defunct, the contracting-out schools were to have a large preference. These schools would have been in exactly the same position as the Scottish voluntary schools are to-day. Surely, therefore, what is considered just to England cannot be refused to Scotland under similar circumstances. It may be said that these two cases are not on all fours, for whereas the Scottish voluntary schools have never tasted the sweets of rate aid, the English schools were asked to do without rate aid to which they had become accustomed. That, of course, is perfectly true; but I do not think it would have absolved the Government from the necessity, in all fairness, of making an equivalent grant to the Scottish voluntary schools.

To return to the figures I have quoted. Surely they are sufficiently startling as showing the great increase which has taken place in the school rate in recent years. There is another point with regard to this increase, that the proportion put on the local boards has increased while the proportion from the Government grant has decreased. I have here the figures from the Maryhill School Board, near Glasgow. Ten years ago the grant amounted to 79·8 per cent. of the cost of education, and the local purse provided 20·2 per cent.; this year the grants have decreased to 58 per cent., and the amount provided by the local purse has risen to 42 per cent. The result of all this is that the school board in this position feels strongly that they would rather not have this Bill at all if it is to compel them to go on putting up the rates. There is a limit to the complacency of the ratepayers, even in Scotland; they are already beginning to kick, and if these boards are to be compelled, owing to legislation and to the action of the Department, to go on piling up the rates, all local interest in efficient education will be lost, and school boards will be elected whose mandate is economy and economy only, and whom, in consequence, the Department will have the greatest difficulty in compelling to do their duty. Therefore I entreat the Government not to be niggardly in this matter, but to make such an addition to the Imperial grant for elementary education that the advantages of this Bill may be enjoyed without a serious raid on the pockets of the ratepayers.

The Earl of CAMPERDOWN: My Lords, the principles and details of this Bill have been so clearly stated by the noble Lord who moved the Second Reading, and have been so thoroughly examined by the noble Lords who have since spoken, that I do not propose to go into the merits of the measure now. The Bill consists chiefly of matters of detail which will be examined in Committee, but I venture to think that the general approval which has been given to the Bill will be continued in respect of the majority of its details in Committee. I merely rose for the purpose of adverting to the two points which are said to be omissions. One point deals with the cumulative vote, and I am a little disappointed to find that it remains part of the educational system in Scotland; but being myself not thoroughly acquainted with the merits and mode of working proportional representation I do not know whether I should, on becoming better acquainted with it, prefer it to the cumulative vote. I think it is possible that if minorities are to be represented there may be some difficulty in finding a voting system less liable to objection than the cumulative vote, although that vote is by no means popular in Scotland. The other point which is said to be an omission has reference to the extension of the areas. In my opinion the Government have, on the whole, probably exercised a wise discretion in not dealing with the subject of areas in this Bill. I desire to associate myself with what has been said by the last two speakers. I think it would have been a great mistake if the Government had attempted to abolish the parish as the area for elementary education, though I am entirely in favour of a much larger area for secondary education. It seems to me that the county is the right area for secondary education; but the moment you take a large area for elementary education you do away with all local interest. In Scotland, the greatest possible interest is taken in the school boards, but if you were to take, for instance, a road district as the area it would be impossible for the inhabitants of many parishes to be represented upon the school board at all. It is for that reason that I think the Government have been wise in not attempting to copy the English Act. The reason for the unpopularity of the English Act in the rural districts is that the elementary education rate is made a county rate. The people living in rural parishes complain that they are rated very highly and do not know what becomes of the money; all they know is that it is not spent in their neighbourhood. In Scotland, of course, the matter is otherwise; and I hope that, should the area at any time be enlarged, the area for elementary education will be, at all events, a much smaller area than that for secondary education.

Lord COURTNEY of PENWITH: My Lords, it is with extreme reluctance that I rise to prolong this debate for a few minutes. But I should like to be permitted to say a few words by way of preparation, as it were, for the Amendment which the noble Lord opposite has intimated his intention of moving in Committee. It will be understood at once that what I have to say has reference to the vexed question of the cumulative vote. The noble Earl who has just sat down has confessed that the cumulative vote is extremely unpopular in Scotland. In the Bill as first placed before the House of Commons it was proposed to abolish the cumulative vote and to substitute for it the plan known in France as the *scrutin de liste*, by which the elector has as many votes as there are candidates to be elected, but can only give one vote to each candidate. But it became evident that, despite the objections to the cumulative vote, there existed still greater objections in many parts of Scotland to the plan proposed in substitution therefor, the effect of which would have been to efface the representation of minorities altogether. Although many objections can be raised to the cumulative vote, it certainly produced results extremely valuable in securing the representation of the different opinions entertained in the community; and upon the constitution of the school board in a large town everyone can understand how much the progress of education depends. You may prescribe regulations as you like, but it is the active, zealous co-operation of the school board on which you must depend for the furtherance of popular education. The substitution of the plan giving the majority vote entire control would have removed those conditions of security and efficiency which the cumulative vote gives; and it was impressed on the Government during the progress of the Bill in the other House that the true plan to adopt was the scheme of representation to be secured by the single transferable vote, which secures all the benefits of the cumulative system without its defects. In the first place, the cumulative vote is extremely awkward for the voter to use. He has to be drilled a good deal into its use and to be taught how to distribute his votes, whilst there is the difficulty of ascertaining the result of the election in consequence of the extremely varied way in which the votes are distributed. A recent experiment made in the use of the single transferable vote, which has been referred to by the noble Lord, Lord Balfour of Burleigh, has, I think, demonstrated its simplicity, effectiveness, security, and completeness as an alternative method; and I hope that the system will be brought before the notice of the Government on the Committee stage of this Bill. I may mention one fact in respect to that election which is extremely pertinent to the present discussion. I had the advantage of attending this experimental election, and by my side was a gentleman who is or has been for two or three terms a member of the School Board of Edinburgh. This gentleman stayed to the end of the vote-counting, and his verdict was that the result showed how much clearer, easier, and more expeditious the plan was as compared with that of the cumulative vote. I will not enter further into the question at this moment, but the subject should certainly be considered by the Government before the next stage of the

Bill is reached. It is an open secret that among the Scottish supporters of the Government in the other House the advocates of proportional representation had secured a majority, and if time had permitted for further discussion in the House of Commons the provision might have come up to us in the way I have suggested. By, as my noble friend Lord Balfour has said, the final stage of the Bill in the House of Commons was conducted under extreme difficulties, and the Government, driven into a corner, abandoned their first plan and left the cumulative vote standing. The cumulative vote undoubtedly protects minorities, but it is true that it is extremely unpopular in Scotland. It cannot be trusted. It cannot be said to have any security or permanence about it; and, if you are offered another plan which avoids the difficulties of the cumulative vote and secures in a more trustworthy manner all its advantages, I think the argument in favour of the substitution of that other plan becomes extremely cogent. It is of the utmost importance that the basis of your education machinery should contain within itself all the available elements of knowledge and experience, in order to have that efficiency and co-operation without which educational progress is impossible. I therefore hope I shall be pardoned for having troubled your Lordships on this subject at this stage of the Bill.

On Question, Bill read 2ª, and committed to a Committee of the Whole House on Wednesday next.

STATUTE LAW REVISION BILL [H.L.].

House in Committee (according to order): The Amendments proposed by the Joint Committee made. Standing Committee negatived. The Report of Amendments to be received to-morrow.

LAW OF DISTRESS AMENDMENT BILL.

Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons.

House adjourned at twenty-five minutes before Seven o'clock, till To-morrow, half-past Three o'clock.

HOUSE OF COMMONS.

Monday, 7th December, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

North British Railway Order Confirmation Bill (by Order).—Considered; an Amendment made to the Bill; Bill to be read the third time To-morrow.

RETURNS, REPORTS, ETC.

LOCAL GOVERNMENT ACT, 1888.

Copy presented, of Orders made by the various County and County Borough Councils in England and Wales under Section 57 of the Act, as confirmed by the Local Government Board [by Act] to lie upon the Table.

HOUSING OF THE WORKING CLASSES ACT, 1890.

Copy presented, of Statement of further modification permitted by the Local Government Board in the City of Leeds (Quarry Hill Area) Improvement Scheme, 1900 [by Act]; to lie upon the Table.

MOTOR CAR ACTS, 1896 AND 1903.

Copy presented, of Regulations made by the Local Government Board under the Acts. Borough of Kendal [by Act]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented, of Correspondence relating to the Education Bill [by Command]; to lie upon the Table.

BOARD OF EDUCATION.

Order [4th December] that the Paper relative to Board of Education do lie upon the Table read, and discharged.

SECONDARY SCHOOLS, ETC. (PUPILS).

Return presented, relative thereto [ordered 18th November; *Mr. Illingworth*]; to lie upon the Table, and to be printed. [No. 349.]

SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the Borough of Barnstaple, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain classes of Shops within the Borough [by Act]; to lie upon the Table.

FERTILISERS AND FEEDING STUFFS ACT, 1906.

Copy presented, of Regulations, dated 9th November, 1908, and entitled the "Fertilisers and Feeding Stuffs (Methods of Analysis) Regulations, 1908" [by Act]; to lie upon the Table.

DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Copy presented, of an Order No. 7616, dated 28th November, 1908, entitled the "Foreign Animals (Amendment Order of 1908 (No. 3)" [by Act]; to lie upon the Table.

PATENTS AND DESIGNS ACT, 1907.

Copy presented, of the Designs Rules, 1908, (Second Set), dated 14th November, 1908, [by Act]; to lie upon the Table.

PUBLIC HEALTH (REGULATIONS AS TO FOOD) ACT, 1907.

Copies presented, of Regulations made by the Local Government Board for Ireland: (1) Public Health (Foreign Meat) (Ireland) Regulations, 1908; (2) Public Health (First Series, Unsound Food) (Ireland) Regulations, 1908 [by Act]; to lie upon the Table.

PAPERS LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Inquiry into Charities (County of Berks).—Further Return relative thereto [ordered 28th March, 1905; *Mr. Griffith Boscawen*]; to be printed. [No. 350.]

Inquiry into Charities (County of Devon).—Further Return relative thereto [ordered 26th July, 1905; *Mr. Griffith-Boscawen*]; to be printed. [No. 351.]

LAND PURCHASE PRICES (IRELAND).

Return ordered, "showing, by counties, the average number of years Purchase under the different Land Purchase Acts from 1885 to 1903, with the average percentage of reductions, the number of holdings purchased under each Act, and the amount of interest and sinking fund payable by the tenant purchasers; also, by counties, Return showing the same particulars with respect to the Purchase Act of 1903 up to the 1st day of November last."—(*Mr. William O'Brien.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

French, Russian, German, and British Battleships.

Mr. MACKARNESS (Berks, Newbury): To ask the First Lord of the Admiralty whether he will state the number of capital ships now in commission in the navies of France, Russia, Germany, and Great Britain respectively.

(*Answered by Mr. McKenna.*) I am not aware what interpretation my hon. friend places upon the term "capital ships." The number of first-class battleships now in commission is as follows:—

	Fully commissioned.	Nucleus crews.
France - - -	12	2
Russia - - -	4	2
Germany - -	18	—
Great Britain - -	30	10

Foreign Tariffs.

Mr. WYNDHAM (Dover): To ask the President of the Board of Trade if he will lay upon the Table of the House the new French tariff, so far as it has been published, and cause the same to be circulated among chambers of commerce in this country, in order that His Majesty's Government may be informed of the character of the representations which may most usefully be made to the French Government in the interests of British and Irish traders.

(*Answered by Mr. Churchill.*) The right hon. Gentleman may be assured that the subject of the projected new French tariff is receiving my careful attention, and that I shall not fail to consult the chambers of commerce through the Advisory Committee of the Board of Trade on Commercial Intelligence with regard to it when matters are further advanced. The new tariff proposals are those of the Customs Commission of the Chamber of Deputies and not of the French Government, and the Commission have up to the present only published a small portion of their recommendations. I understand, however, that their complete recommendations will shortly be made public and as soon as they are received I will see that they are laid upon the Table of the House.

MR. WYNDHAM: To ask the President of the Board ot Trade if his attention has been drawn to the increased number of items separately tariffed under the proposed new french tariff, and to the finer differentiation and more extended classification which is characteristic of all revisions of foreign tariffs in recent years; and, seeing that these changes tend to annul the value of our most-favoured-nation treaties, will he say what steps His Majesty's Government propose in order to regain the advantages in foreign markets which these treaties were designed to give us.

(*Answered by Mr. Churchill.*) I am aware of the tendency towards more minute classification of foreign tariffs. The subject raised in the last part of the Question is too wide and controversial to be dealt with in an answer to a question.

MR. WYNDHAM: To ask the President of the Board of Trade if his attention has been drawn to the proceedings of the Ways and Means Committee of the United States Congress on the subject of the tariff revision of that country, and especially to the declared policy of the Republican Party now in power to introduce a maximum and a minimum system of tariffs; and whether he can inform the House of the steps he proposes to take to acquaint himself with the probable effect of those changes on British and Imperial interests, and to make such representations as may be necessary to the proper authorities in the United States.

(*Answered by Mr. Churchill.*) My attention has been drawn to this matter, and I am already in communication with the principal chambers of commerce with regard to it.

Medical Inspection of School Children.

MAJOR DUNNE (Walsall): To ask the President of the Board of Education whether he will, either by legislation, if necessary, or, if not, by administrative action, provide the means to enable local education authorities to proceed against parents who wilfully withhold their children from medical inspection and thereby reduce the effectiveness of Section 13 (1) (*b.*) of the Education (Administrative Provisions) Act, 1907.

(*Answered by Mr. Runciman.*) The Board have reason to believe that the number of children withheld by their parents from medical inspection is inconsiderable, and that as the benefits of such inspection become better known the number will decrease. At present the Board do not consider that any special action on their part is required or is desirable.

National Society's Schools.

MR. ESSEX (Gloucestershire, Cirencester): To ask the President of the Board of Education whether the provisions of Clause 3, subsection (4), on page 5, of the Education Bill (No. 2), exclude the schools of the British Schools' Association or other similar associations of schools from such liberties and advantages as may be enjoyed by the schools of the National Society.

(*Answered by Mr. Runciman.*) This Question does not now arise.

Post Office Writers Association.

MR. BOTTOMLEY (Hackney, S.): To ask the Postmaster-General under what circumstances he has refused to recognise officially the duly-constituted association of Post Office writers, seeing that he has announced to the staff generally his readiness to recognise any duly-constituted organisation or federation of postal servants, and has already granted that privilege, not only to the service associations generally, but, in the case of the London postmen, to two distinct organisations; and whether he is prepared to reconsider his decision, with a view to removing the disabilities under which the members of the Writers Association now labour.

(*Answered by Mr. Sydney Buxton.*) The officers to whom the hon. Member refers are members of the general class or sorters employed temporarily on writing duties, and, as I have already informed them, I am not prepared to recognise more than one association as representing the class to which they belong.

Telegraph Appointment at Dromod, County Leitrim.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Postmaster-General, whether he is aware that a vacancy in the telegraph service at Dromod, County Leitrim, has recently been filled by the appointment of a person who had no previous Post Office experience, and was admitted as a learner at the age of thirty; were there any other, and how many, applications by qualified persons for the vacancy; is he aware that this applicant was, until shortly before his appointment, employed in commercial business in London; and whether he will take steps to prevent such appointments, seeing that they operate injuriously in causing stagnation in promotion of men in the Postal Telegraph Service.

(*Answered by Mr. Sydney Buxton.*) The vacancy to which the hon. Member refers is apparently that for an assistant to the sub-postmistress of Dromod. It is not an established post. For that situation there were three candidates. One of these was only seventeen years of age and was considered unsuitable, as the position demanded the performance of night duty on alternate weeks. The appointment of another candidate was considered undesirable in view of his previous record in the Post Office. The remaining candidate who was selected is the husband of the sub-postmistress, and is considered the most suitable for the situation; his appointment is, of course, subject to the attainment of full qualifications within a reasonable time.

Foreign Children and Music Hall Performances.

MR. CLAUDE HAY (Shoreditch, Hoxton): To ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that large numbers of children of tender years are sent to the Continent from this country under contracts for public performances; that these children perform in Continental halls where, in consequence of their environment, they are placed under temptations that are detrimental to their moral welfare; and that the hours of work are such as are not permitted in England; and whether, having regard to the legislation recently enacted in England for the protection of children, he will consider whether steps can be taken to prohibit the transference of young children to the Continent for the above-mentioned purposes.

(*Answered by Mr. Secretary Gladstone.*) The only such case of which I have heard in which a troupe of young children was sent out to perform as dancers at a place of amusement on the Continent is now forming the subject of inquiry. I shall be glad to consider any facts on this head with which the hon. Member can furnish me. My attention has been drawn from time to time to cases of young girls engaged to perform in Continental music halls under very unfavourable conditions, and representations have been made on the subject to authorities abroad. I understand that the London County Council are considering the question of applying to Parliament for power to control the theatrical agencies through which such performers are engaged.

Resales of Irish Estates.

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state, relative to advances which were made by the Congested Districts Board in cases of resales to tenants in the year ended 31st October, 1908, the county, number of estates, number ot tenant purchasers, total rental, total advances and number of years purchase of the rental.

(*Answered by Mr. Birrell.*) The following Return gives the required particulars—

Counties.	Number of Estates.	Number of tenant purchasers.	Total rental			Total re-sale prices.*	Average number of years purchase of rental.
			£	s.	d.	£	
Donegal -	3	37	62	11	9	1,651	26
Sligo - -	3	250	2,192	4	11	50,544	23
Mayo - -	32	651	3,933	9	7	87,723	22
Roscommon -	6	68	787	13	0	18,284	23½
Galway -	17	176	1,755	19	9	42,742	24
Kerry - -	3	217	2,704	6	4	61,924	22½
Cork - -	3	69	467	9	2	9,518	20
	67	1,468	11,903	14	6	272,386	22¾

These are the prices agreed to, the actual advances are made at a later date by the Land Commission.

Associations of Ex-Volunteers.

MR. HICKS BEACH (Gloucestershire, Tewkesbury): To ask the Secretary of State for War whether his attention has been drawn to the actual formation of an association of ex-Volunteers at Gloucester; and whether the Government, by way of encouraging the formation of similar valuable organised Reserves in other big towns in the country, could see their way to a grant of free ammunition to the members of such associations.

(*Answered by Mr. Secretary Haldane.*) The War Office has no official information regarding this association, and for obvious reasons it will not encourage such bodies. Under the Territorial and Reserve Forces Act powers exist for forming a Reserve for the Territorial Force; and later on, when men who have completed their service with the Colours in the Territorial Force have begun to pass out, the question of forming a Reserve will be taken up in conjunction with the County Associations.

Boyton Estate, Tullydonnell—Interest on Purchase Money.

MR. WILLIAM O'BRIEN (Cork): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the fact that on the D. A. Boyton estate, at Tullydonnell, County Donegal, the tenant purchasers are obliged to pay, pending the advance of the purchase-money, interest at the rate of 4½ per cent. in lieu of 2¾ per cent., as provided by the Purchase Act of 1903; and can he give any indication how long this extra charge will continue.

(*Answered by Mr. Birrell.*) The interest referred to is that payable under Section 35 of the Purchase of Land (Ireland) Act, 1896, from the date of the purchase agreement to the date of the making of the advance, and the rate of interest payable is a matter of agreement between the parties. The Land Commission inform me that there are some 186 tenants on the estate in question, and the rate of interest payable varies in the different cases from 3¾ to 5 per cent. Having regard to the place of this estate in the order of priority, it is not likely that the advance can be made for upwards of a year.

Inspection under the Food and Drugs Act in County Cavan.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state for how many years back there is a record of samples taken under the provisions of the Food and Drugs Act in Cavan; for how many counties are similar records kept; what steps are taken to secure that the results of analysis are scientifically accurate; and will he say, of the 680 samples submitted in Cavan in 1907, how many were analysed by the public analyst, and how many by deputy.

(*Answered by Mr. Birrell.*) The Local Government Board inform me that they are satisfied as to the qualifications of the analyst for County Cavan. There is no official information as to the other matters referred to in the Question.

Hussey Estate, County Meath.

MR. PATRICK WHITE (Meath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a Mrs. Tiernan, on the estate of the Trustees of Hussey, Rathkenny, County Meath, purchased her holding; and, if so, how much money was, or will be, advanced to her for the purpose.

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Estates Commissioners received a memorial from the inhabitants of Rathkenny, County Meath, asking them to purchase the untenanted land on the estate of the Trustees of Hussey for distribution among the occupiers of uneconomical holdings in the district, and, having regard to the fact that the people were willing to take the land, upon whose authority the Commissioners decided that the land was unfit for distribution; whether the Commissioners propose to advance money, and how much, to Mr. John Tiernan for the purchase of land on this estate that he held on the eleven months system; if they are aware that he is the only son of a lady who holds many hundred acres of land, and that it reverts to him on her death; and under what section of the Land Act of 1903 the advance will be made.

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, when the estate of the Trustees of Hussey, Rathkenny, County Meath, was sold to the occupying tenants, and the purchase agreements lodged with the Estates Commissioners, any agreement was lodged by John Tiernan for the 201 acres it is now alleged the owner sold him; if not, when was the purchase agreement lodged and upon what date was the tenancy created; whether and to what amount the Commissioners are empowered to advance money for the purchase of tenancies created since the passing of the Land Act of 1903; and whether, before advancing cash to John Tiernan, they will make further inquiries into his ability to farm the land he occupies.

(*Answered by Mr. Birrell.*) I will reply to these three Questions together. The Estates Commissioners inform me that an advance of £5764 has been made to Mrs. Tiernan for the purchase of a holding on this estate, held by her prior to the sale on a lease made in 1886 for a long term of years. The Commissioners received and fully considered the Memorial of the inhabitants of Rathkenny, but did not consider that, having regard to all the circumstances, they could comply with it. I have already explained to the hon. Member the circumstances in which the 201 acres were sold to Mr. John Tierman, who was in immediate occupation. The Commissioners cannot say whether he is or is not an only son and his mother's heir. The lands have been vested in him, and an advance of £4,422 has been made to him for the purchase. The matter is therefore closed. The residue of the lands referred to is being distributed among small occupiers.

Pay of Inspectors of Irish Intermediate Education Boards.

MR. BOLAND (Kerry, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state from what funds it is proposed to pay the inspectors to be appointed by the Irish Intermediate Board.

(*Answered by Mr. Birrell.*) The inspectors appointed by the Intermediate Education Board for Ireland will be paid from funds of that Board.

Validation of the Public Bodies Order—Opposition of Local Bodies.

MR. J. MACVEAGH (Down, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the resolutions passed by local authorities in County Down and other parts of Ireland in opposition to the proposed validation of the Public Bodies Order of 1904; and whether these representations will receive his personal consideration.

(*Answered by Mr. Birrell.*) I am aware that resolutions have been adopted by several local authorities in opposition to the clause in the Local Government Amendment Bill for the validation of the Public Bodies Order of 1904. These resolutions will receive consideration.

Jurors Objected to at Limerick.

MR. JOHN ROCHE (Galway, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the fact that at the trial of the Riverstown prisoners at Limerick on Tuesday last the Crown ordered thirty-one jurors to stand by; and whether, in view of the pledge given by the Attorney-General for Ireland in this House, he will say what action he proposes to take in the matter.

(*Answered by Mr. Birrell.*) My right hon. friend the Attorney-General has inquired into this matter. The Crown Solicitor for the County of Sligo informs him that the reason why he ordered so many jurors to stand aside in the case referred to was because he had trustworthy information that an active canvass of the jurors had been made on behalf of the prisoners, and that persons had actually come from Sligo to Limerick for the purpose of influencing the jurors. The Crown Solicitor was bound to exclude from the jury all persons whom he had reason to believe had been influenced by this improper practice, and who would, in his opinion, have been hindered thereby from giving an impartial verdict. In taking this course the Crown Solicitor was acting strictly within his instructions and not in violation of any pledge given by my right hon. friend in this House or elsewhere.

Southern Nigeria Preventive Force.

MR. ARMITAGE (Leeds, Central): To ask the Under-Secretary of State for the Colonies if he will state the strength of the preventive force in Southern Nigeria, its organisation, distribution, and duties.

(*Answered by Colonel Seely.*) The preventive service in Southern Nigeria is carried out partly by the water police, of whom there are twenty-one in the Eastern and fifteen in the Western Province. The only land frontier which at present requires special supervision is a portion of the boundary between Southern Nigeria and Dahomey, where a force of twenty-five men is employed. These can be supplemented, if required, from the ordinary police. The duty of the preventive force is to prevent smuggling.

Southern Nigeria Police Force.

MR. ARMITAGE: To ask the Under-Secretary of State for the Colonies if he will state the nature, strength, and distribution of the police force in Southern Nigeria, particularly in the larger towns of the western, middle, and eastern districts.

(*Answered by Colonel Seely.*) The police in Southern Nigeria is an armed and disciplined force of African natives. The actual strength in 1907 was 1,122 rank and file, with twelve African and ten European officers. The distribution was: Western Province, 536, Central, 247; and Eastern, 339. The force stationed in the six most important centres was: Lagos, 303; Calabar, 119; Warri and Gana Gana, 66; Benin, 25; Forcados and Burutu, 22; Sapele, 21. The large towns of Ibadan and Abeokuta are not policed by the Southern Nigeria force, but provide their own police.

Distilleries in West Africa.

MR. ARMITAGE: To ask the Under-Secretary of State for the Colonies whether there are any distilleries of spirits in Southern Nigeria, or in any other of our West African territories; and whether, if any exist, they are owned by natives or Europeans.

(*Answered by Colonel Seely.*) I am not aware of the existence of any distilleries in the West African Colonies, but inquiry will be made of the local governments on this point.

Central (Unemployed) Body and Workmen's Compensation.

MR. FETHERSTONHAUGH: To ask the President of the Local Government Board if his attention has been directed to the recent decision of the Court of Appeal, holding the Central (Unemployed) Body liable for accidents to workmen employed by them under the Unemployment Act; was this liability foreseen and covered by insurance; and, if not, out of what funds will the liability be met.

(*Answered by Mr. John Burns.*) I am aware of the decision referred to. I understand that from January, 1906, to July, 1907, workmen were insured by the Central Body with a firm of underwriters, and that since the latter date all risks of the kind mentioned are covered by an inclusive policy of insurance effected by the Central Body with the Employers' Liability Assurance Corporation.

Outdoor Relief.

MR. R. HARCOURT (Montrose Burghs): To ask the President of the Local Government Board whether his Department forbid local authorities to give a higher rate for outdoor relief than 3s. weekly.

(*Answered by Mr. John Burns.*) The reply is in the negative.

Old-Age Pensions Regulations.

MR. FIELD (Dublin, St. Patrick): To ask Mr. Solicitor-General for Ireland whether he can state the application of the Pensions Act in the case where a male applicant being one of a married couple living together in the same house having an income of £2 per annum and his wife no income; and whether he is entitled to a pension under the Act, being otherwise eligible.

(*Answered by Mr. Redmond Barry.*) I assume that £2 is a misprint for £32 and, this being so, I would refer the hon. Member to the reply given by the President of the Local Government Board to a similar Question asked by the hon. Member for the Blackfriars Division of Glasgow on the 9th ultimo.

Stornoway Isolation Hospital.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, in view of the fact that there is a population of nearly 30,000 in the Island of Lewis, will he state the extent of the accommodation for cases of infectious disease in the isolation hospital at Stornoway.

(*Answered by Mr. Sinclair.*) I am informed that the hospital referred to contains ten beds.

Dumping of Refuse on Alexandra Embankment at Stornoway.

MR. WEIR: To ask the Secretary for Scotland, in view of the complaints from the inhabitants of Stornoway in regard to the insanitary conditions arising from the dumping of refuse on the Alexandra Embankment, Stornoway, will he state whether the Local Government Board have yet heard from the sanitary authorities on the subject, and what steps are being taken in order to secure an abatement of the nuisance.

(*Answered by Mr. Sinclair.*) I understand that steps are being taken to abate the nuisance, but as action has been taken by the procurator fiscal and the case is now before the sheriff it is not proper that I should enter into detail.

Women Inspectors and Clerks in Government Departments.

MR. COOPER (Southwark, Bermondsey): To ask the President of the Local Government Board whether there are any women inspectors or clerks in the first or second division in his Department; and, if any, will he give the number, respectively.

(*Answered by Mr. John Burns.*) The staff of the Local Government Board includes four female inspectors and also twenty-five female typists. There are no female first or second division clerks in the Department.

Mr. COOPER: To ask the President of the Board of Trade whether there are any women inspectors or clerks in the first or second division in his Department; and, if any, will he give the number respectively.

(*Answered by Mr. Churchill.*) There are no women inspectors or clerks on the establishment of the Board of Trade. There is a senior investigator for women's industries and an assistant investigator.

Mr. COOPER: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether there are any women inspectors or clerks in the first or second division in this Department; and, if any, will he give the number respectively.

(*Answered by Sir Edward Strachey.*) There are no women inspectors or clerks employed by the Board other than women typists, of whom there are fifteen.

Strength of the Navy (Personnel).

Mr. J. M. MACDONALD (Falkirk Burghs): To ask the First Lord of the Admiralty what is the number of officers and men borne in all the ships in commission in the Royal Navy, the number employed in the dockyards and other special work, and the number in naval barracks.

(*Answered by Mr. McKenna.*) According to latest available Returns, the Answer to the first part of the Question is 121,499; the Answer to the second part of the Question is 1,824; and the Answer to the third part of the Question is 12,357, a number which is included also in the first figure given.

The Public Trustee and Shares not Fully Paid up.

Mr. LONSDALE: To ask Mr. Attorney-General whether the Public Trustee may have transferred to himself shares in joint stock companies upon which there is an uncalled liability; if so, whether the Public Trustee is liable to pay calls that may be made subsequently upon such shares; and whether this is included in the liabilities which may be placed upon the Consolidated Fund under Section 7 of the Public Trustee Act, 1907.

(*Answered by Sir William Robson.*) The Public Trustee may, if he accepts the trust, have transferred to himself shares in joint stock companies upon which there is an uncalled liability. The question as to his liability in such cases is one of law depending on the construction and effect of Sections 2 and 7 of the Act of 1906 and of the rules made or to be made thereunder as applied to the circumstances of the particular case.

Relief of Aged Poor.

Mr. R. HARCOURT: To ask Mr. Chancellor of the Exchequer whether he has received representations from local authorities in favour of a grant from the Imperial Exchequer, so that the rate of outdoor relief to deserving paupers over seventy may be made up to the amount which would be paid weekly if they were receiving an old-age pension; and, if so, what action he proposes to take.

(*Answered by Mr. Lloyd-George.*) I have received such representations from the Arbroath and St. Vigeans Parish Council, but I am not, as at present advised, in favour of dealing with the matter in the manner suggested. The whole question will be carefully considered when an opportunity arises for dealing with the disqualification on account of poor relief generally.

Old-Age Pensions—Arrangements.

Mr. BRODIE (Surrey, Reigate): To ask Mr. Chancellor of the Exchequer whether, in view of the great pressure of work which is placed upon the old-age pension officers during the initiation of the scheme, and the inconvenience and possible loss entailed upon the prospective pensioners who, as at present arranged, will have to remain at home to receive their pension order books which are to be personally delivered to them by the pension officers, he will give instructions for the books to be sent by registered post in the case of those persons to whom pensions will be payable on the first Friday in January next.

(*Answered by Mr. Lloyd-George.*) I am afraid that it would not be practicable to adopt this suggestion. The pension officer is required to witness the pensioner's signature upon the cover of the book. If this requirement were dispensed with the danger of the use of the books by unauthorised persons would be very seriously increased.

Fixing of Fair Rents in Moira Rural Districts.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the powers of the Local Government Board under Section 29, subsection (3), of the Labourers Act of 1906, and of the fact that the labourers in the Moira Rural District Council, for whom cottages have been erected, have requested the Local Government Board to fix the fair rents of these cottages, and that the Local Government Board has informed the Moira Rural District Council that these rents ought to be submitted for their approval, he will say if the Moria Rural District Council has refused to do so; and, if so, what action is proposed to be taken to compel the administration of this section of the Labourers Act of 1906.

(*Answered by Mr. Birrell.*) The fixing of rents for cottages erected under the Labourers Acts is a matter for the local authority and not for the Local Government Board. The Board have called the attention of the Moira Rural District Council to Section 29 of the Labourers Act of 1906, which provides that the council shall make and submit to the Board regulations for the letting of cottages and allotments, containing amongst other things a schedule of rents. The council have postponed the consideration of the matter till their next monthly meeting, and the Board will await their further action before deciding what steps, if any, should be taken.

QUESTIONS IN THE HOUSE.

Devonport Dockyard Regulations.

MR. W. T. WILSON (Lancashire, Westhoughton): I beg to ask the First Lord of the Admiralty whether a petition has been received from the workmen engaged in His Majesty's dockyard at Devonport asking that the Order prohibiting them from leaving the dockyard during the interval allowed for the mid-day meal on Fridays should be withdrawn; and whether, in view of the fact that the men are not on duty and are not paid for the time, the Admiralty is prepared to accede to the request.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): A petition has been received from some of the workmen employed in Devonport dockyard, asking that such of the workmen as desire to do so may be permitted to leave the yard during the three-quarters of an hour mid-day meal on Fridays. The petition is still under consideration.

Naval Manœuvres—Speech of Rear-Admiral Finnis.

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty whether, in order to prevent needless alarm being caused by the reports in the Press of a speech by Rear-Admiral Finnis, he will state how many vessels were under the command of the Rear-Admiral, representing, as alleged by him, a fleet of transports carrying 70,000 men, when he successfully eluded the British defending force in a fog and reached the coast of Scotland unobserved.

I beg also to ask the First Lord of the Admiralty whether his attention has been called to statements made by Rear-Admiral Finnis, in a speech at Dover, on 2nd December; whether the alleged successful invasion of Scotland by a fleet supposed to represent transports carrying 70,000 men, under the command of Rear-Admiral Finnis, was a part of secret manœuvres on which all information has been withheld from the House; and what steps he proposes to take in reference to the matter.

MR. MCKENNA: Rear-Admiral Finnis has been on half-pay since January last. He was not entrusted with any command at the recent manœuvres. In reply to inquiries as to the speech which he is reported to have made, Admiral Finnis states: "This report is a great misrepresentation and exaggeration of a very small part of the speech I made, and needless to say is not correct; the words 'during manœuvres,' etc., etc., and many others, were of course never used." I am taking further steps to discover the precise language used by Admiral Finnis. No such incident as is alluded to in the report of the speech, occurred in the manœuvres, nor did anything happen which could in the smallest degree give the slightest foundation for such a statement. I trust that with this information the public alarm which my hon. friend apprehends may be prevented.

H.M.S. "Barfleur."

MR. BELLAIRS: I beg to ask the First Lord of the Admiralty, in view of the fact that H.M.S. "Barfleur" in a period of forty months ending 1st June, 1908, had nine successive captains, whether he can state what steps the Board are taking to prevent the evils arising from the undue frequency with which the captains of His Majesty's ships are shifted about.

MR. McKENNA: My hon. friend has referred to the case of only one of His Majesty's ships, the "Barfleur," which is in the Special Reserve. The captains of His Majesty's ships are not shifted about with avoidable frequency, and it is not considered necessary to take any steps as suggested by my hon. friend.

MR. BELLAIRS: Will it be possible for my right hon. friend to grant a return in regard to the commands of ships generally?

MR. McKENNA: No, Sir. I am quite satisfied that the captains of His Majesty's ships are not shifted with any avoidable frequency.

MR. ARTHUR LEE (Hampshire, Fareham): Is there any special reason why the captains of the "Barfleur" were shifted so very frequently? Is the "Barfleur" used as a training ship for captains?

MR. McKENNA: No, Sir. The "Barfleur" was used for sending out to China a new crew for the "Vengeance" and for bringing back the old crew, and, as the old crew were time-expired men, they were paid off, and at the same time the captain was changed. That was the special reason I gave.

MR. ARTHUR LEE: But that applies to only three out of the nine captains.

MR. McKENNA: It applies to four captains. With regard to the other changes, I explained that in one case the captain was only in command a few days because another captain unexpectedly retired from the service.

Anti-Torpedo Armaments.

MR. MIDDLEMORE (Birmingham, N.): I beg to ask the First Lord of the Admiralty if he will state whether, in the opinion of his naval advisers, the four 7·5 guns carried in the "Natal," "Achilles," "Cochrane," and "Warrior" are equal as an anti-torpedo armament to the ten 6-inch guns carried by the two vessels of similar class, the "Duke of Edinburgh" and the "Black Prince."

MR. McKENNA: I am not prepared to discuss, in answer to a Parliamentary Question, the comparative merits of different types of gun as an anti-torpedo craft armament. There is much difference of professional opinion on the subject.

MR. MIDDLEMORE: Does the right hon. Gentleman adhere to the opinion that the armaments afford adequate protection?

MR. McKENNA: Yes, I do not think I can go beyond my present statement and say I am not prepared to discuss the matter.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty what constitutes the secondary or anti-torpedo armament of the "Bellerophon" class and the "St. Vincent" class respectively.

MR. McKENNA: When no longer confidential, details of the armament of these ships will be published in the Return which stands in the name of my right hon. friend the Member for the Forest of Dean.

MR. ARTHUR LEE: Will the right hon. Gentleman try and secure that in future the Return is published a little earlier, as the information comes too late to be of use here?

MR. McKENNA: Yes, I greatly regret that it was published so late this year.

MR. SWIFT MACNEILL (Donegal, S.): Will the right hon. Gentleman guarantee that it is published before the threatened invasion of this country comes off?

[No Answer was returned.]

Naval Shipbuilding.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty whether it is the intention of the Admiralty to complete all the large armoured ships, including the three vessels of the "St. Vincent" class, within the specified period of two years; and will they consider the advisability of enforcing a penalty upon the contractors who delay the delivery of ships they may be building for the nation.

MR. McKENNA: Of the large armoured vessels now under construction by contract, it was the intention of the Admiralty to complete the "Invincible" in two and a half years, and "Superb" and "Vanguard" in two years. The "Invincible" and "Superb" have been delayed by labour troubles and other causes, and will not be delivered within the expected periods. The "Vanguard" will, so far as the Admiralty can at present foresee, be delivered within the two year period. It is the present intention of the Admiralty to allow two years for building and completing large armoured ships in future. The contracts for building warships for His Majesty's service invariably provide for the payment of liquidated damages for delay in delivery, unless such delay shall have been outside the control of contractors for such causes as strikes and lockouts.

The Navy Estimates.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty if he can give the date at which the next Navy Estimates will be presented.

MR. McKENNA: The Naval Estimates will be introduced next session at some time between the conclusion of the debate on the Address in reply to the King's Speech and the close of the financial year.

MR. MIDDLEMORE: This question has been somewhat truncated, unfortunately, but will the right hon. Gentleman give orders for the laying down of one or two battleships before the Estimates are laid before the House.

*MR. SPEAKER: That hardly arises out of the Question.

Internal Combustion Engines.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty whether the Admiralty have any intention of testing internal combustion engines for propulsive purposes in any of the five protected cruisers for which orders have recently been given.

MR. McKENNA: All these five protected cruisers have been designed with steam turbine machinery. There is no intention of testing internal combustion engines for propulsive purposes in any of them. Steps are, however, being taken to test these engines in another direction.

Commutation of Army Pensions.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary of State for War whether Army pensioners can be allowed to commute a portion of their pensions at forty-five years of age instead of fifty as at present, seeing that men and non-commissioned officers are not infrequently compelled to retire from the service shortly after completing forty years of age, and that the commutation of their pensions would enable them to make a new start in life in some trade or business.

*THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The Army Council are considering the desirability of allowing Army pensioners, in receipt of more than 1s. a day, to commute the excess over 1s. at an earlier age than fifty.

MR. ARTHUR LEE: Will provision be made for this concession in the forthcoming Estimates?

MR. HALDANE: The matter, as I have said, is still under consideration.

Army Quartermasters.

LORD J. JOICEY-CECIL (Lincolnshire, Stamford): I beg to ask the Secretary of State for War whether it is proposed to make any alteration in the *status* or numbers of quartermasters in the Army.

MR. HALDANE: I have no knowledge of any proposal to alter the *status* of quartermasters; but, of course, the numbers employed may vary from time to time according to the requirements of the Army.

LORD J. JOICEY-CECIL was understood to ask if the Answer applied equally to riding-masters?

MR. HALDANE: No, it is confined to quartermasters.

Weedon Ordnance Factory Foremen.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for War whether he is aware that, in connection with a pension scheme for foremen at the Weedon Ordnance Factory there is a rule that any foreman participating in the scheme must cease to be a member of any trade society; and whether he will make inquiry into the matter, with a view to stopping the imposition of this disability on trade unionists in Government employ.

MR. HALDANE: Will the hon. Member kindly refer to my reply to a Question on the subject of the pension scheme for foremen of the Army Ordnance Department put by the hon. Member for the St. Patrick's Division of Dublin on 17th June last, and especially to the last sentence of that reply.

Quarters for Married Soldiers.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War if he will state how many married couples are now living in one room in barracks situated in the United Kingdom.

MR. HALDANE: No Returns are forwarded to the War Office containing the required information.

MR. ASHLEY: Will the right hon. Gentleman take steps to find out before he comes to the House for money to remedy the evil?

MR. HALDANE: There is no question of coming to the House for money. We are remedying it.

MR. ASHLEY: Has the right hon. Gentleman no idea how many couples there are living under these conditions?

MR. HALDANE: I cannot say how many; there is a great number, but we are reducing it as quickly as we can.

Married Officers' Quarters at Tidworth and Bulford.

MR. ASHLEY: I beg to ask the Secretary of State for War what decision has been come to with reference to the provision of quarters for married officers stationed at Tidworth and Bulford.

MR. HALDANE: The question of the provision of quarters for married officers is still under consideration. I may point out that the existing pressure will be somewhat relieved in the near future.

MR. ASHLEY: As this matter has been under consideration for six months, can the right hon. Gentleman give an idea when it is likely to be decided?

MR. HALDANE'S reply was inaudible.

Carlow Barracks.

MR. ASHLEY: I beg to ask the Secretary of State for War whether it is his intention to keep troops permanently stationed in the barracks at Carlow; and, if so, whether repairs of an extensive character will be undertaken.

MR. HALDANE: No, Sir.

The Unemployed and the Special Reserve.

MR. ASHLEY: I beg to ask the Secretary of State for War what number of unemployed have availed themselves of his offer of service in the Special Reserve.

MR. HALDANE: The number of recruits for the Special Reserve between 16th January and 1st October was 17,781; from that date to 1st November was 3,372; and from that date to 28th November, the latest date for which figures are available, was 2,748; amounting in all to 23,901. I assume that every recruit offering himself for the Special Reserve is at the time unemployed.

MR. ASHLEY: May I ask whether at this rate of recruiting the Special Reserve will be filled up in a few months?

MR. HALDANE: Well, recruiting is going on at the rate of 1,400 or 1,500 a fortnight.

Accommodation in Barracks.

MR. ASHLEY: I beg to ask the Secretary of State for War what percentage of the rank and file living in barracks in the United Kingdom sleep and eat in the same room.

MR. HALDANE: There are no statistics available to give the proportion. Wherever possible, that is, when accommodation exists, dining-rooms are used. The proportion, moreover, varies, as a barrack which may not be able, from pressure on its accommodation, to find dining-rooms at one time may be able to do so at another time. Every effort is made administratively to allow dining-rooms to be provided. In new barracks, dining-rooms are being arranged for.

Children in Barracks.

MR. ASHLEY: I beg to ask the Secretary of State for War if he will state how many of the married couples living in one room in barracks in the United Kingdom have children living with them.

MR. HALDANE: No returns are forwarded to the War Office containing the required information.

MR. ASHLEY: Is there no limit at the War Office as to the number of people allowed to sleep in one room?

MR. HALDANE asked for notice.

MR. ARTHUR LEE: Is it a fact that there are actually married men in the service with children living in one room only? If that is so, what step is the right hon. Gentleman taking to inquire with a view to remedying that disgusting state of affairs?

MR. HALDANE: I succeeded to a great mass of these cases, and I am doing all I can to remedy them. Wherever we can, we provide two rooms.

Rifle Ranges.

MR. ASHLEY: I beg to ask the Secretary of State for War whether it is his intention that county associations should be under the necessity of applying to private individuals for assistance in defraying the expenses of rifle ranges, extra ammunition for practice, expenses of going to and from annual training, and similar outgoings.

MR. HALDANE: The funds placed at the disposal of the county associations from Army Votes for these services are considered sufficient to meet necessary expenditure.

MR. ASHLEY: Then am I to understand that no county association is to be obliged to appeal to private individuals to be given the use of land for rifle ranges at lower than the ordinary rent, on the ground that they have not sufficient funds?

MR. HALDANE: I do not know about that, but we have provided what we consider sufficient funds to enable all these requirements to be satisfied.

African Cable Companies and the Indian Joint-Purse Pool.

SIR EDWARD SASSOON (Hythe): I beg to ask the Under-Secretary of State for India if he can state the express terms on which the Eastern and South Africa Telegraph Company became a partner in the Indian Joint-Purse Pool, and to what extent, if any, India has suffered loss in her transit tax from the diversion of Australian telegraph traffic to the Australia-to-Africa cable; and whether the traffic from the Dutch Indies, formerly transmitting through India, has been diminished, and, if so, to what extent, by the establishment of the spur cable lately laid from Batavia to the Cocos (or Keeling) Islands to join the Australia-to-Africa cable.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): It would be necessary to obtain the consent of all the partners in the Indian Joint-Purse Agreement before the express terms on which the Eastern and South African Telegraph Company became a partner in this Joint-Purse could be made public. The opening of the Australia-to-Africa cable has diminished the volume of traffic yielding a transit tax to India. This loss for the official year, 1907–1908 is estimated to have been about £23,000. The opening of the Batavia-Cocos cable in April last allows of the diversion of traffic from and to the Dutch Indies. Figures are not available to show the loss to India by diversion.

SIR EDWARD SASSOON: Will the hon. Gentleman take steps to secure that the public shall have due notice of these arrangements?

MR. BUCHANAN: I do not think I can promise that.

SIR EDWARD SASSOON: But, in view of the position of affairs, it is very necessary.

MR. BUCHANAN: Perhaps the hon. Gentleman will put down another Question.

Beluchistan Land Telegraph Line.

SIR EDWARD SASSOON: I beg to ask the Under-Secretary of State for India if the telegraph land line from Kerman, through Beluchistan to Kalat and Quetta is yet completed, and if on such completion it will be possible to send a telegram by land wires alone from any Continental town, say Calais, to any part of India, Assam, or Burmah; and, in the case of a message sent from Calais to Rangoon, would he state the cost of such message, and the amount of the terminal tax at each end, as well as the transit tax payable according to the rules of the International Telegraph Convention to each intervening State on the normal route.

MR. BUCHANAN: A telegraph land line from Teheran, via Kerman, Robat, and Indian Baluchistan, to Karachi, was opened for traffic in November, 1907, as an alternative and additional line to the one from Teheran, via Bushire and the Persian Gulf, to Karachi. The cost of a message sent from Calais to Rangoon, which passes over either of these lines, is 2·50 francs per word. According to Table B of the International Telegraph Convention the terminal tax per word on such a message would be 0·15 francs for France and 0·35 francs for India. The transit taxes payable would be 0·20 francs for Germany, 1·13 francs for Russia, 0·44 francs for Persia, and 0·68 francs for the Persian Gulf. The total of these conventional rates would amount to 2·95 francs. The lower through rate accepted of 2·50 francs per word has been brought about by arrangement between the Administrations concerned.

Indian Finance.

MR. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for India what precisely are the general purposes of the Government of India for which the Secretary of State is to be empowered by the East Indian Loan Bill to borrow in the United Kingdom the sum of £5,000,000, in addition to the sum of £6,200,000 already borrowed and apparently spent; upon what specific object this sum of £6,200,000 has been spent, and whether the details of this expenditure have been regularly brought to account in the annual financial statement issued by the Government of India.

MR. BUCHANAN: The power to raise £5,000,000 for general purposes is asked for in order that the Secretary of State may be able to borrow in England to meet any emergency that may arise, such as a deficiency in remittances from India due to a reduction of the resources of the Government of India, or to unfavourable trade conditions. The Secretary of State comes to Parliament from time to time for borrowing powers for these purposes. The net indebtedness incurred under the Act of 1898, which was shown in the Memorandum presented last July as £6,200,000 is now £8,700,000. The total transactions under the Act are that £17,700,000 have been borrowed at various times and £9,000,000 of temporary debt have been repaid. The loans of each year and the total expenditure of each year are shown in the annual accounts of the Government of India; but so far as the loans are required to meet a shortage of remittances from India it is not practicable to exhibit them in the accounts as appropriated to meet expenditure under particular heads.

MR. SMEATON: Will the hon. Gentleman answer the last part of my Question? Are details of this expenditure exhibited in the account?

MR. BUCHANAN: Yes, I shall later on be able to explain more fully the exact position.

Flogging of Natives in Rhodesia.

MR. BENNETT (Oxfordshire, Woodstock): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to the fact that four white settlers in Rhodesia recently flogged three natives, suspected of theft, with the result that two of them died from the treatment received; and that at the Battlefields criminal sessions, in spite of the summing up of the Judge, the four settlers were acquitted by the jury on all counts; and whether, under the terms of the charter given to the British South Africa Company, any appeal in such a case lies to the Imperial Courts.

MR. MACKARNESS (Berkshire, Newbury): At the same time may I ask the Under-Secretary of State for the Colonies whether he has any information about the recent trial of four Europeans at Salisbury, in Rhodesia, for the manslaughter of two natives alleged to have been so severely flogged that two of them died; whether the four men charged were all acquitted; and whether he has received any intimation, either from the Administrator of Rhodesia or the Judge who tried the case, as to the circumstances under which the verdict was given.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): I have seen a report in the Press, but have no official information on the subject. Inquiry shall be made of the High Commissioner for South Africa. I am advised that no appeal lies to any Court in this country.

SIR GILBERT PARKER (Gravesend): Does no appeal lie to the Privy Council?

COLONEL SEELY: My reply is that no appeal lies to any Court.

MR. BYLES (Salford, N.): Can the hon. Gentleman suggest what is the use of Imperialism if it cannot prevent iniquities such as these?

COLONEL SEELY: But it does prevent iniquities such as these.

MR. BELLOC (Salford, S.): Has the Congo Reform Association reported on this matter.

COLONEL SEELY: Not that I am aware of.

Somali Protectorate.

SIR C. HILL (Shrewsbury): I beg to ask the Under-Secretary of State for the Colonies why no allusion is made in the latest Report on the Somaili Protectorate to the military forces of the Protectorate, as is usual in similar Reports on the African Protectorates; and whether he will lay before the House a statement showing the number and nature of the troops now in the Protectorate and the stations at which they are posted.

COLONEL SEELY: It has not been thought desirable to publish the information referred to in the annual Report.

British Officials and African Native Girls.

SIR C. HILL: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to the case of Mr. Silberrad, who has been accused of immorality towards a native child in the East African Protectorate; and whether he will lay before the House any official correspondence which has passed in regard to it.

The following Questions on the same subject also appeared on the Paper—

SIR GEORGE SCOTT ROBERTSON (Bradford, Central): To ask the Under-Secretary of State for the Colonies whether he has any official information concerning the alleged procuring of young native girls for immoral purposes by high European Government officials of the East African Protectorate; is he aware that the allegation against one of the officials was inquired into privately by His Honour Judge Barth, of the High Court, at the request of His Excellency the Governor, and that the offender was punished by the loss of one year's seniority; and does the Secretary of State propose to take any further steps in the matter.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the Under-Secretary of State for the Colonies whether he is aware that last February Mr. Silberrad, Deputy-Commissioner at Nyeri, in British East Africa, used his official position to procure a native child of thirteen for immoral purposes, and that on complaint being made by a British settler a private inquiry was held and Mr. Silberrad received some trifling disciplinary punishment; whether he will explain why an open inquiry was not held in this case; and what steps the Secretary of State proposes to take to prevent the recurrence of such cases in British East Africa, and to secure the same standard of conduct in this Protectorate as obtains in other British Colonies.

MR. PIKE PEASE (Darlington): To ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the inquiry undertaken by Judge Barth by the instruction of the Governor at Nyeri into the conduct of an official; and, in view of the state of corruption alleged, will he grant a public inquiry in order that a Report may be presented to Parliament.

MR. FELL (Great Yarmouth): I beg to ask the Under-Secretary of State for the Colonies if any complaints have been made to the Governor of British East Africa respecting the conduct of officials other than the case which was recently referred to Judge Barth of the High Court; and, if so, have any inquiries been held as the result of the complaints.

MR. BENNETT: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to certain grave charges recently brought against two officials in British East Africa; and whether, if such charges are well founded, he will see that adequate punishment is meted out to the offenders.

MR. CATHCART WASON (Orkney and Shetland) asked the hon. Gentleman whether he was aware that, so far from the offender in this case having received some slight disciplinary punishment, he had already been severely punished, and was still labouring under that punishment; that since this occasion his conduct had been most exemplary, and that the suggestion that he had procured a child was entirely and absolutely unwarranted; and whether, under all the circumstances, he would leave the matter where it was, in the hands of the Governor of the Colony, and not consent to retry the case on *ex parte* statements.

*COLONEL SEELY: I trust the House will permit me to reply to the six Questions on this subject together, and to make a short statement. Perhaps it will be convenient to deal, in the first place, with the particular case of the officer mentioned by name, and, in the second place, with the general aspect of the matter referred to in some of the Questions on the Paper. With regard to the particular case, the officer named was not a high Government official, but one of the junior grade of administrative officers. He was charged with the offence referred to in the Question, and a Judge was nominated to investigate the charge, and to report to the Colonial Government. Before stating what subsequently took place, it is right to clear up two points on which the House will wish to be informed, so as to understand the nature of the offence more clearly. With regard to the use of the word "child," it is the case that women in East Africa, as in other tropical countries, develop so rapidly that they are commonly married at the age of thirteen or fourteen, which is the age stated in this case; secondly, unwillingness was not found by the Judge to be proved. The Judge investigated the charge and reported, and on his report the officer was suspended from duty, and his case considered by the Executive Council, who advised that he should lose one year's seniority, and not be put in charge of a district for two years. The whole matter was subsequently reported to the Secretary of State, who gave it his most careful attention. He had, of course, no opportunity of seeing and hearing the witnesses or of weighing the value of their evidence, and he, therefore, considered it right to accept the decision of the Executive Council. But he did not do this until he had satisfied himself that, since the pecuniary loss involved was considerable, and since the officer's opportunities for advancement must necessarily be affected to a far greater extent than might at first sight appear, the punishment was undoubtedly a severe one. Since then the officer has returned to duty, and the Governor reports as follows: "Silberrad is an able and energetic officer, who has done good work and has been favourably reported on up to time of his fault, for which he expressed deepest regret and gave me the fullest assurances. He lately married in England, and I understand that before doing so, he told all to his future wife. His conduct since his return has been exemplary, and he should make a valuable officer." With regard to the general question, the Government of East Africa on their own initiative issued a strongly worded Memorandum in September last condemning such practices and warning all officers of the consequences of disobedience. I think the House will agree that it would not be well to lay Papers on this matter, but I need not say that the Secretary of State associates himself with the condemnation which has been expressed. He is taking steps to impress upon members of the whole Colonial service, through the Governors, that such actions, all questions of morals apart, are damaging to the public service, and that the gravest consequences must be the penalty for conduct which is unworthy of a servant of the Crown.

MR. PIKE PEASE: May I ask the hon. Gentleman why no action was taken or inquiry made in regard to the other official about whom a complaint was made by Mr. Routledge; and in regard to the Question asked by the hon. Member for Orkney and Shetland, is he aware that Mrs. Routledge went to the house of Mr. Silberrad and took these girls of twelve and thirteen away from him?

COLONEL SEELY: With regard to the first Queston I have only replied on the specific case put before me. I shall be glad to answer any Questions on that subject if the hon. Gentleman will give me due notice. With regard to the second Question, I understand that is the case. We must all be very grateful to the lady for the action which she took.

MR. WEDGWOOD inquired whether the hon. Gentleman was aware that three out of four hon. Members who put down Questions on this subject had had charge of natives under the British Crown and that they were all disgusted and horrified at this occurrence, and also at the attitude taken by the Colonial Office and the Governor towards it?

COLONEL SEELY: The Answer to the first Question is in the affirmative, and to the second in the negative.

SIR GILBERT PARKER: Is the hon. Gentleman aware that these malpractices against native women are alleged to have been the cause of disturbances in that district which led to a punitive expedition? Did the right hon. Gentleman the Member for Dundee, during his recent visit to East Africa, make any inquiry with regard to these allegations?

COLONEL SEELY: Really, I must have notice of that Question. But I repeat that the Secretary of State regards this question as one of the utmost gravity.

SIR H. COTTON (Nottingham, E.): Is Mr. Silberrad still exercising any judicial functions?

COLONEL SEELY: He is doing the usual work of a subordinate officer, and the Governor has telegraphed to me that he is endeavouring to do his best to redeem his character by leading an exemplary life. It is rather difficult to define the term "judicial." Perhaps the hon. Gentleman will put a further Question down on that.

MR. WEDGWOOD: Is he in the same district?

COLONEL SEELY: I think not.

Spirit Duty Allowances.

SIR G. KEKEWICH: I beg to ask Mr. Chancellor of the Exchequer whether an allowance or bounty to the amount of 3d. to 5d. per gallon is still paid by the State on whisky and other British spirits exported from this country; and, if so, whether the export of spirituous liquors is the only bounty-fed export from the United Kingdom, what is the total sum per annum paid as bounty, and what is the reason that the trade in spirituous liquors enjoys such exceptional advantages and protection.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): No bounty is paid upon the export of British spirits from this country. An allowance of 3d. per gallon is granted on British plain spirits on exportation, as an equivalent to the British distiller for the cost to him of the requirements and restrictions imposed by the Revenue laws and regulations in connection with his plant and methods of manufacture. A further allowance of 2d. (*i.e.*, 5d. in all) is granted on British compounds in consideration of the loss due to the manufacture being required by law to be carried on with duty-paid spirits on premises distinct from those of a distiller. These allowances are granted in order to put the British distiller on an equality with the foreign distiller, who is not hampered to the same degree by the Revenue laws of this country. The sum paid as allowances on the exportation of spirits (plain and compound) for the year ended 31st March, 1908, was £113,807.

Surpluses and the Sinking Fund.

MR. LEVERTON HARRIS (Tower Hamlets, Stepney): I beg to ask Mr. Chancellor of the Exchequer if he will state what was the surplus of the financial year 1907–8 available under the old sinking fund for the reduction of the funded debt; how much of this surplus has already been applied to the reduction of the funded debt; and when it is proposed to apply the balance.

MR. LLOYD-GEORGE: The old sinking fund for the year 1907–8 amounted to £4,725,595 16s. 7d., and will be applied in the reduction of debt. Since 1st April last, £2,000,000 has been issued to the Commissioners for the reduction of the National Debt; and the balance will, subject to Section 9 of the Finance Act, 1908, be issued from time to time during the present financial year. It would not be in the public interest to give the details of the application of sinking fund money in anticipation of the Annual Returns presented to this House.

MR. LEVERTON HARRIS asked whether any part of the surplus referred to would be applied to meet any possible deficit on next year's Budget.

MR. LLOYD-GEORGE asked the hon. Gentleman to give him notice of that Question.

SIR F. BANBURY (City of London) asked whether there was any power to use the surplus of last year for anything but the reduction of the debt.

MR. LLOYD-GEORGE said he thought there was no such power. That was why he hesitated to answer the hon. Member for Stepney.

Hop Substitutes.

MR. NAPIER (Kent, Faversham): I beg to ask Mr. Chancellor of the Exchequer whether he can now say when the Bill to prohibit the use of hop substitutes in beer and to secure the marking of foreign hops imported into the United Kingdom will be introduced.

Mr. LLOYD-GEORGE: I have been in consultation informally with representatives of the interests concerned, and shall, I hope, be able to introduce in a day or two the Bill for the prohibition of the use of hop substitutes, and for the marking of imported hops.

Notices to Licence Holders.

Sir F. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask Mr. Chancellor of the Exchequer whether notices to licence-holders, sent out by post, by county councils in connection with the collection of local taxation licences, will require to be stamped; and whether, having regard to the inadequacy of the amount proposed to be allowed to county councils for the cost of collection, it can be arranged that they shall not be called upon to pay postage on circulars and notices issued by them in connection with these licences.

Mr. LLOYD-GEORGE: The Answer to the first part of the Question is in the affirmative. As I explained in the course of the debate on the Finance Bill on 15th July last, the grant of £40,000 to county councils in England and Wales should, in my opinion, provide a sufficient margin to cover all costs of collection; but I shall be glad to consider any representations on the subject which may be made to me by councils who, after due trial, think that the amount allotted to them is inadequate for the purpose.

Sir F. DIXON-HARTLAND asked if the right hon. Gentleman was aware that in the case of Middlesex the collectors will find this a very heavy burden, representing two-thirds of their percentages.

Mr. LLOYD-GEORGE: I shall be prepared to consider any representations on the subject.

Telephone Connection with Police Stations.

Mr. ALEXANDER CROSS (Glasgow, Camlachie): I beg to ask the Secretary of State for the Home Department if he is aware that residents in the Metropolitan districts are deprived of the safeguard obtainable by ringing up the police-stations in cases of burglary, because the police stations have no connection with the exchanges of the National Telephone Company; and, having in view the frequent cases of housebreaking both in London and elsewhere, as well as recent cases in Glasgow, whether he will, with a view to the security of householders in the event of attempted burglaries in the Metropolis, give instructions that the police-stations be at once put in communication with the National Telephone Company's Exchange.

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Gladstone, Leeds, W.): The work of connecting Metropolitan police stations with the telephone system is steadily progressing, there being now ninety-nine stations on the public telephone system, and 130 on the police telephone system. The majority of police connections are with the General Post Office telephone service, which gives communication also with the National Telephone Company's exchanges.

Motor Car Smoke Nuisance.

Mr. ALEXANDER CROSS: I beg to ask the Secretary of State for the Home Department if his attention has been drawn to the increase of public discomfort due to the nuisance of the thick offensive smoke sometimes discharged from the exhaust-pipe of motor-cars; whether he has made inquiries as to the possibility of preventing this; and, if so, whether he will now cause special investigation to be made with a view to a regulation that the discharge of this offensive smoke shall be in the front of the car, so that the driver on the driving seat, or the owner inside, may see it and take the means necessary to obviate or prevent it.

Mr. GLADSTONE: As I stated in reply to a Question earlier in the year, I do not think this nuisance is on the increase in London. I have no power to take any action except in respect of motor-cabs and motor-omnibuses, and the police report to me that in their case, at any rate, the smoke nuisance has undoubtedly decreased. Improvements in design have tended towards this result. I shall always be ready to consider any practicable proposals for diminishing the nuisance; but I am advised that the suggestion made by the hon. Member is impracticable.

MR. ALEXANDER CROSS: Seeing that steps have been taken so far as public vehicles are concerned, will the right hon. Gentleman see that similar action is applied to private cars?

MR. GLADSTONE said the same action should apply to both classes. He was in communication with the President of the Local Government Board on the subject.

Third-Class Season Railway Tickets.

MR. CROOKS (Woolwich): I beg to ask the President of the Board of Trade whether he will consider the advisability of introducing legislation to require all railway companies to issue third-class season tickets.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I do not see my way to introduce legislation of the nature suggested by my hon. friend, but I may remind him that third-class season tickets are now issued by many of the railway companies voluntarily, and their number appears to be increasing.

Provincial Homes Investment Company.

MR. C. DUNCAN (Barrow-in-Furness): I beg to ask the President of the Board of Trade whether, in view of the fact that thousands of people have been deprived of their whole savings by such companies as the Provincial Homes Investment Company, he will take immediate steps to have such companies wound up and the promoters prosecuted.

MR. CHURCHILL: Companies registered under the Companies Acts can only be wound up in the manner provided by those Acts, and the Board of Trade have no power to take any steps to obtain or order a winding up. Nor is it within the province of the Board of Trade, except in the case of companies ordered by the Court to be wound up compulsorily to take steps for the prosecution of the promoters. If my hon. friend has facts in his possession disclosing a criminal offence it is in his power to submit them to the Director of Public Prosecutions. I may add that, for the protection of the poorer and less instructed classes of investors, I caused a Memorandum to be issued last week drawing their attention to certain definite points which require careful consideration before entering into a contract with a company doing house purchase business. I am having this Memorandum printed with the Votes:—Investment Companies and House Purchase Companies.—Memorandum by the Board of Trade.—The Board of Trade have recently received many complaints from persons who have invested their savings in bond investment or house purchase companies, and, as it appears that there is often a misunderstanding on the part of subscribers as to the terms on which subscriptions are paid to such companies, the Board desire to draw the attention of persons who think of investing their money with any company of this class to certain matters which should be understood clearly before any contract is entered into. Inquiries made by the Board of Trade show that the usual course followed by a company of this class is to offer bonds or certificates for subscription and to contract to pay the subscriber a lump sum at the end of a period of ten, twenty, or thirty years in return for monthly subscriptions of a fixed amount payable by the subscriber. In some cases the subscriber has, in addition, after the subscriptions have been made for a short period, the right to an advance from the company up to the nominal amount of the bond or certificate for the purpose of buying a house, subject, however, to the condition that the advance will in no case exceed the value of the house. The bonds or certificates issued by investment and house purchase companies always contain a penalty for failure to keep up the subscriptions, and, in many cases, this penalty is the absolute forfeiture of all moneys paid by the subscriber. The complaints laid before the Board of Trade fall generally under one or other of the following heads: (1) Before the end of the period the subscriber wishes to draw out what he has already paid, but finds that the terms of the contract do not allow him to do so; (2) The subscriber for some reason cannot continue his payments, and finds that the whole or part of what he has already paid is liable to be forfeited to the company if future payments are not kept up; (3) The subscriber enters into a contract to purchase a house and thinks that he is thereupon entitled to an advance from the company up to the face value of his bond or certificate, but finds that the company's surveyor places a lower value on the house than the price agreed to be paid, and he is consequently unable to complete his purchase. The Board of Trade therefore deem it important to advise that, before entering into any contract with an investment or house purchase company, intending subscribers should find out exactly the conditions as to the withdrawal of payments before the end of the period for which the payments are to be made and as to the risk of forfeiture. They further recommend that persons who are thinking of entering into such a contract with the object of purchasing a house should also find out exactly how the value of the house is to be ascertained, and on what terms the advance will be made under the terms of the contract.—28th November, 1908.

Mr. C. DUNCAN: I beg to ask the President of the Board of Trade whether he will supplement the warning issued recently regarding house purchase by ordering a thorough investigation by an independent firm of chartered accountants into the methods of the Provincial Homes Investment Company, against whom there are now some hundreds of cases down for hearing in the Law Courts; whether he is aware that a firm of chartered accountants gave up the audit of this company because the directors were borrowing money from the funds without giving security; and whether he will order the company to be wound up in order to prevent further loss to the people who have invested in it.

Mr. CHURCHILL: The Board of Trade has no power to conduct an inquiry into the affairs of a company except in the case of a company which is in compulsory liquidation. The Board have, however, power to appoint inspectors to examine into the affairs of a company upon the application of members holding not less than one-tenth of the whole of the shares of the company for the time being issued. No such application has been made to the Board of Trade in the case of the Provincial Homes Investment Company, and, consequently, the power to appoint inspectors has not arisen. I have no knowledge of the resignation of the auditors of the company, and have no power to order the company to be wound up.

Imports of American Boots and Shoes.

Mr. FELL: I beg to ask the President of the Board of Trade if he will state how many pairs of boots and shoes were imported into the United Kingdom from the United States of America, and their value, in each of the years 1905, 1906 and 1907.

Mr. CHURCHILL: The hon. Member will find the information he requires on page 196 of Volume I. of the Annual Statement of the Trade of the United Kingdom for the year 1907, a copy of which may be seen in the library.

Distress at Maesteg.

Mr. KEIR HARDIE (Merthyr Tydvil): I beg to ask the President of the Local Government Board whether he has received an application from the urban district council of Maesteg for sanction to create a distress committee; whether the reasons assigned were that 9 per cent. of the colliers in the district were idle owing to bad trade, and that the council were prepared to put work at roadmaking in hand at once provided they could obtain a share of the Government grant to permit of unemployed labour being used; and whether the application was refused; if so, for what reason.

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Burns, Battersea): The facts are as suggested in the Question. It appeared that the bulk of the colliers out of employment had only ceased work a fortnight before, the Poor Law statistics showed no increase in able-bodied pauperism, and the district council had schemes of roadmaking which they could execute. In the circumstances it did not seem to me that sufficient ground had been shown at that time for establishing a distress committee, and I so informed the district council.

Instruction in Welsh in Welsh Schools.

MR. LONSDALE (Armagh, Mid): I beg to ask the President of the Board of Education what was the expenditure incurred by the teaching of Welsh as an extra subject during the past year in primary schools in Wales.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): No special grant is given for the teaching of Welsh. I have no information as to the expenditure incurred by local authorities upon the teaching of this particular subject.

Education Returns.

LORD BALCARRES (Lancashire, Chorley): I beg to ask the President of the Board of Education under what powers, statutory or otherwise, he secured the Returns upon which the figures in the recent White Paper [Cd. 4406] are based; and why it is not possible for him to have secured under such powers the precise figures required to show the cost of contracting-out schools.

I beg also to ask the President of the Board of Education whether, under Article 47 of the Code, local education authorities and managers of public elementary schools are required to furnish duly all Returns called for by the Board of Education or by Parliament; and why he did not use his powers under that Article to obtain Returns showing the outlays which would have to be incurred by managers of contracting-out schools.

MR. RUNCIMAN: The Returns referred to are obtainable under Section 95 of the Elementary Education Act, 1870, upon which Article 47 of the Code is based. The analysed form of financial statement of the expenditure of local education authorities upon public elementary schools, which was prescribed in consequence of the Act of 1902, does not require the separation of expenditure upon voluntary schools and council schools except as regards teachers' salaries and rent, rates, and taxes upon teachers' houses. Moreover, inasmuch as fuel, material, etc., is frequently obtained by a contract covering the requirements of a large number of schools, it is impossible to require the local authority to separate their expenditure on individual schools or on the voluntary schools in their area as distinct from the council schools. Apart from this point, to obtain information as to a given financial year, the necessary instructions as to the form in which the accounts of local authorities must be kept must be sent out several months before the beginning of the year, and the results could not be available for more than a year and a half after the information was first asked for.

LORD BALCARRES: Under these circumstances may I ask the right hon. Gentleman, in view of the fact that he has power to order these Returns in any form he likes, why he stated that he had no such power to ask for Returns for the so-called contracting-out schools?

MR. RUNCIMAN: For the very good reason that I have no power to ask from local authorities information of which they were not possessed.

Small Holdings—Delayed Confirmation of Schemes.

VISCOUNT VALENTIA (Oxford): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he is aware that serious inconvenience, if not loss, is caused to tenants of small holdings by their inability to occupy and work land let by county councils owing to the delay in confirmation of schemes by the Board; that some schemes have been months in the hands of the Board awaiting confirmation; and does the Board insist that all land proposed in each scheme to be let should be individually inspected by an officer of the Board; and, if so, whether some addition to the staff of the Board is necessary to obviate the delay complained of.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, E.): There has been no delay in the confirmation of satisfactory schemes by the Board. The noble Lord probably has in mind three schemes submitted by a county council at the end of September last, which have not yet been confirmed owing to a difference of opinion between the council and the Board as to whether the rents proposed to be charged by the council are not unnecessarily high.

MR. MORRELL (Oxfordshire, Henley): Is there to be any addition to the staff?

SIR EDWARD STRACHEY: There will be some additions.

Loans for Buildings on Small Holdings.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, where money is borrowed by county councils for the erection of buildings on hired land under the Small Holdings Act, 1907, the interest on such loans and a sinking fund for the repayment thereof are to be included in the rent to be paid by the small holders; and, if so, to whom will the buildings belong at the expiration of the lease: to the county councils, the landowners, or to the small holders, who will have paid for them.

SIR EDWARD STRACHEY: The rents will be fixed at sums sufficient to cover the interest and sinking fund. Buildings erected on leasehold land belong at the expiration of the lease to the landlord in the absence of any right to remove them.

Instruction in Gaelic in Scottish Primary Schools.

MR. ALEXANDER CROSS: On behalf of the hon. Member for Mid Armagh, I beg to ask the Secretary for Scotland what was the expenditure incurred by the teaching of Gaelic as an extra subject in primary schools in Scotland during the past year.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): No grant is paid in Scotland for the teaching of Gaelic or of any other language as an extra subject. Grants are made on account of the curriculum as a whole and it is within the discretion of local managers to decide what language or languages they will teach, if any. But a special grant is made for the employment of Gaelic-speaking teachers to teach Gaelic-speaking children and the amount of this grant in the last completed year was £1,580.

Island of Barra Crofts.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Secretary for Scotland what was the price paid by the Congested Districts Board (Scotland) for the land at North Bay, in the Island of Barra, in the outer Hebrides, which was purchased by that Board and subsequently sold to the tenants; in what year was the land so sold; on what principle were the annual payments agreed on; how were the crofts laid out; for how many years were these annual payments to be made without re-valuation or variation; whether he is aware that there has been a total failure of the potato crop in North Bay and that the fishing industry, on which the crofters have mainly relied for a livelihood, has this year been unproductive; that nine crofters, who have been reduced to the deepest distress, have been summoned by the Congested Districts Board for non-payment of the arrears of their annual payments before the sheriff-substitute, to a Court to be held at Loch Maddy, a great distance from North Bay attendance at which will entail great inconvenience, expense, and difficulty; and whether, having regard to the fact that these men have been placed in their present difficulties by the failure of their crops and the bad fishing season, and through no fault of their own, the Congested Districts Board will stay proceedings against them till they are in a position to meet these charges, seeing that the present proceedings if carried out must involve them in destitution.

MR. SINCLAIR: The price paid by the Congested Districts Board for the lands near Northbay in Barra was £7,500. These lands (except a house and grounds rented at £25) were re-sold in small holdings to the fifty-eight original purchasers for £5,512 10s. at Whit-Sunday, 1902. The price, principal and interest at 2¾ per cent. is repayable by annuities of equal amounts for fifty years.

The annuities for the various holdings are—

	£	s.	d.
Twenty at £5 - - -	100	0	0
Five at £4 10s. - - -	22	10	0
Thirty-two at £2 10s. - -	80	0	0
One at £1 13s. 4d. - - -	1	13	4
	204	3	4

The holdings were laid out by Mr. P. B. Macintyre, of the Crofters Commission, and Mr. John Taylor, land surveyor. The transaction being one of sale and the price being payable by instalments agreed upon, there is no ground for re-valuation. After the most careful deliberation it has been determined to take action against those whose arrears have accumulated for several years, and I am unable to accept the view of the hon. Member that proceedings should be stayed.

Mr. SWIFT MACNEILL: Is the right hon. Gentleman aware of the destitute condition of these people and are these proceedings calculated to deprive them of their homes?

Mr. SINCLAIR: The circumstances are well known to the Congested Districts Board who have taken this action after the most careful consideration.

Mr. SWIFT MACNEILL: Are these really ejectment processes?

Mr. SINCLAIR: Preliminary steps only have been taken. It will depend on future events what further steps may be necessary.

Mr. FLAVIN (Kerry, N.): Is the principal and interest combined repayable by annuities at 2¾ per cent?

Mr. SINCLAIR: The principal and interest stand at 2¾ per cent. and the whole sum is repayable in instalments extending over fifty years.

Mr. FLAVIN: Then at what rate is it?

Mr. SINCLAIR asked for notice.

Boycotting at Riverstown.

Mr. O'DOWD (Sligo, S.): I beg to ask Mr. Attorney-General for Ireland whether he has made inquiry into the alleged boycotting of Catholics by Protestants and of Protestants by Catholics in the Riverstown district, County Sligo; and, if so, whether he will state the result of his inquiries to the House.

The CHIEF SECRETARY for IRELAND (Mr. Birrell, Bristol, N.): As a prosecution is pending in reference to the alleged boycotting in the district referred to, it would be against the public interest to make any statement in this House upon the matters which may be in controversy at the trial.

Compulsory Land Purchase in Ireland.

Mr. FETHERSTONHAUGH (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state upon what precedent he relies for the compulsory taking of lands, leaving the expropriated owner to bear his own costs of making title to the lands, all charges thereon, and to all head rents and superior interests, in order to obtain payment of the purchase money awarded to him; is he aware that in the case of a small estate with a difficult title cost of title would form a very large proportion of the value of the property; and will he consider, in framing the Irish Land Bill, 1909, the propriety of indemnifying persons who wish to keep their land, but are expropriated in the public interest against all costs of fixing the price and making title which are thus forced on them.

Mr. BIRRELL: The hon. and learned Member is, I think, right in assuming that when lands are taken compulsorily for public purposes the vendor is generally indemnified against the costs of making title.

Mr. FETHERSTONHAUGH: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, having regard to the fact that the Irish Land Bill of 1908, while providing for the compulsory deprivation of landowners in Ireland of lands in their own occupation, and which they may desire earnestly to retain, leaves them to bear all costs of making title to the lands of which in the presumed interest of the State they are to be deprived, and whether the area of the land taken be large or small, and however difficult and expensive making title may be, he will consider the advisability of making provision for the costs of title and also of the assessment of the value of the lands proposed to be taken so that the landowners may get the value of their land without deduction.

MR. BIRRELL: Under the Bill as introduced, I do not think that the costs of the assessment of the value of lands proposed to be taken would fall upon the vendor in the case of compulsory sale, as the hon. and learned Member assumes. As regards the costs of title, I shall be prepared to favourably consider any suggestion in Committee for indemnifying vendors from such costs in case of compulsory sale, as was done by the Evicted Tenants Act of last year.

Clooncruffer Evicted Tenant.

MR. JAMES O'KELLY (Roscommon, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the estate of the Earl of Kingston, County Roscommon, is now under treaty for sale to the tenants; whether his attention has been called to a resolution passed unanimously by the Boyle (No. 1) Board of Guardians, calling for the restoration of Mr. Bernard Martin, Clooncruffer, who was evicted from his farm upon the said estate seventeen years ago; and, if so, whether, in view of the urgency of the case, he can see his way to directing that the compulsory powers of the Act be put in force to place Mr. Martin in possession of his old home with the least possible delay.

MR. BIRRELL: The Estates Commissioners have received the resolution referred to, but have decided not to take any action on the application of Bernard Martin. The holding in question was put up for sale at the suit of a creditor who had obtained a judgment against Martin, and the landlord exercised his right of pre-emption.

School Attendance Regulations.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he state what days are excluded in calculating the quarterly and yearly averages in primary schools in Ireland and England, respectively; whether it was the Commissioners of National Education or the Treasury made the recent rule in Ireland to the effect that only days in which the attendance is under one-third of the monthly average can be excluded in computing the quarterly and annual average attendances; and whether he would recommend that the old rule be enforced in future, namely, that days in which the attendances were under one-half, and not one-third, should be excluded in calculating the quarterly and annual average attendances.

MR. BIRRELL: The Commissioners of National Education inform me that in Irish National schools the rule on this subject is as stated in the Question. I understand that in England every meeting of a school is included for the purpose of calculating the average, but meetings may have occasionally to be abandoned when the attendance is very small owing to inclement weather. The rule was made by the Commissioners in communication with the Treasury, and has been in force for the past ten years. It is not a matter on which I can make any recommendation to the Commissioners.

Land Purchase in Queen's County.

MR. P. MEEHAN (Queen's County, Leix): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the average number of years, including the bonus, paid in the county of Queen's County for land sold under the Act of 1903, and the average number of years purchase paid for land in the same county under the Ashbourne Act.

MR. BIRRELL: A Return is being moved for, and will shortly be laid on the Table, giving the required information for the whole of Ireland. I must ask the hon. Member to await the issue of this Return.

Broughal Evicted Tenant.

MR. REDDY (King's County, Birr): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Estates Commissioners gave notice in the *Gazette* in June last to acquire compulsorily the farm from which Rody Dooley, Broughal, King's County, was evicted; and will he say when Dooley may hope to be reinstated.

MR. BIRRELL: I have already answered this Question on the 1st inst., and would refer the hon. Member to that reply.

Connaught Assizes.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the remarks of Mr. Justice Kenny at the opening of the Connaught Winter Assizes at Limerick on Tuesday, when the Judge called attention to the fact that a small proportion of the perpetrators of outrages had been amenable, and pointed out that there was a summary remedy open to the police, namely, to have the cases investigated by two resident magistrates at Petty Sessions, instead of sending them on to Assizes or the absolutely futile one of binding to the peace; and whether he intends to allow the police to take action in accordance with the suggestion of the learned Judge.

MR. BIRRELL: The Answer to the first part of the Question is in the affirmative; to the second in the negative.

MR. SWIFT MACNEILL: Is it usual for a Judge to give advice to the Executive Government as regards its policy, and when it is given is it not usually disregarded?

MR. BIRRELL: Really, I know nothing about that.

Evicted Tenants and Game Rights.

MR. REDDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if evicted tenants are entitled to the game when reinstated by the Estates Commissioners.

MR. BIRRELL: I would refer the hon. Member to Section 9 of the Evicted Tenants Act and Section 13 of the Irish Land Act, 1903. The disposal of the sporting rights is a matter of agreement with the vendor in each case.

MR. REDDY: In case the land is taken compulsorily, who gets the game? Is it the tenant?

MR. BIRRELL: I am quite sure the Government do not retain it.

MR. REDDY: But will the tenant get it?

MR. BIRRELL: I should think it is a matter of arrangement.

Teaching Irish in Irish Schools.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is prepared to terminate the expenditure resulting from the payment of extra fees for teaching Irish in National Schools, amounting in the past year to £17,250, and to allocate an equivalent amount to educational objects of a practical and beneficial character, such as have been pressed on his attention by the Commissioners of National Education and indicated in their published Reports.

MR. BIRRELL: I have no present intention of departing from the existing scheme which was arrived at in response to a widespread demand and after long and careful consideration.

Threatening a Galway Magistrate

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the nature of the threat contained in the letter received by a Galway magistrate in July, 1907, warning him against attending Loughrea Petty Sessions; and will he ascertain from the Inspector-General whether this was the only threatening letter of the kind received by local magistrates in Ireland and brought to the knowledge of the police during the past two years.

MR. BIRRELL: The Inspector-General of the Royal Irish Constabulary informs me that the letter addressed to the magistrate in question contained no actual threat, though it was no doubt intended to intimidate. He can trace no other case of the kind during the past two years in the records of his office. If the hon. Member has reason to believe there were other cases, and will furnish particulars, inquiries will be made.

The Police and the United Irish League.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it forms part of the duty of the police, as conservators of the peace, to keep under observation the proceedings of branches of the United Irish League that have been engaged from time to time in passing intimidatory and boycotting resolutions which were subsequently published in the local newspapers; whether the reports of the police in connection with such proceedings are duly filed and placed on official record at county headquarters; and whether, having regard to the fact that the frequency of publication of such resolutions and the injurious results following their publication have led the Executive to address warnings to the proprietors of these newspapers, he will now consent to ascertain from the county inspectors of Leitrim, Longford, Galway, Roscommon, Clare, and Westmeath, as has already been done in the case of Sligo, the number of branches of the League that have been active in passing resolutions of this character during the past twelve months.

MR. BIRRELL: I would refer the hon. Member to my reply to a similar Question asked by him on 26th November.

Lord Kenmare's Kerry Estate.

MR. J. MURPHY (Kerry, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners propose to take any action to deal with the tenants on Lord Kenmare's estate, County Kerry, who have not yet purchased.

MR. BIRRELL: The Estates Commissioners inform me that the proceedings for the sale of this estate were only instituted before them in October last. When the estate is being dealt with in its proper order of priority, the Commissioners will consider the cases of those tenants who have not signed agreements for the purchase of their holdings.

Kenmare Estate Grabbers.

MR. J. MURPHY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are aware that in the cases of evicted tenants on the Kenmare estate, County Kerry, whose farms have been grabbed, the landlord refused to sell to the grabbers so that the Commissioners should have the power to secure the reinstatement of the evicted tenants; and whether the Estates Commissioners have taken, or propose to take, any steps to effect the result indicated.

MR. BIRRELL: The Estates Commissioners will inquire into the cases referred to in the Question.

Headford Evicted Tenant.

MR. J. MURPHY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are now in a position to afford any relief to Mr. Denis Healy, of Knockanes, Headford, County Kerry, an evicted tenant.

MR. BIRRELL: The Estates Commissioners have noted Healy's application for consideration in the allotment of such untenanted land as they may acquire. They will communicate with him as soon as they are able to allot him a holding.

MR. FLAVIN: Is the right hon. Gentleman aware that a deceased brother of this evicted tenant bought the interest in the farm for the tenant, and will he take steps to see that he is immediately reinstated?

MR. BIRRELL: I am in communication with the Commissioners on the subject.

Marlborough Street College, Dublin.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Marlborough Street College, Dublin, the original college for the training of national school teachers, is still open to and attended by teachers of all denominations on perfectly equal terms; whether he is aware that in

1890 the then Chief Secretary established what he called a principle which would secure an all-round equality of treatment as between Marlborough Street College and the three denominational training colleges, and that after these three colleges had been provided with free homes in accordance with this arrangement, they were described by the Commissioners of National Education as equipped in every respeect, domestic and educational, in a style that is unsurpassed in completeness in any of the colleges in England and Scotland; whether Talbot House is still retained as the main residence for the girls in training at Marlborough Street; whether during the last session there were 956 absences in less than seven months for 165 girls in training; whether he is aware that in 1898 the then Chief Secretary stated that the girls were not permitted to lift their windows at night lest the disgusting language of the streets should reach them; and whether the condition of things thus described is substantially unchanged.

I beg also to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at the opening of the new residence for men in training at Marlborough Street Training College, Dublin, on 24th August, the Resident Commissioner said it was unfair that the lady students who had to live in Talbot Street should be treated so scurvily as compared with the men, and spoke of the clamourous need of a new residence for these young ladies, and that his Excellency the Lord-Lieutenant of Ireland, who was present in his official capacity to declare the new residence open, said that the next step, and a most important one, for which it was to be hoped that the way would be cleared as quickly as possible, was the provision of a new residential accommodation for the girl students; and whether in view of these statements and the urgent needs of the case, the Government will provide the funds in the next session of Parliament to erect a residence for the women students of Marlborough Street College on the site already provided for the purpose.

MR. BIRRELL: Marlborough Street Training College is still open to and is attended by students of all denominations. My attention has been called to a Memorandum of the Elementary Education Committee of the General Assembly, containing the statements set out in the first Question. These statements, so far as it has been possible to verify them, appear to be substantially correct. My attention has also been called to the speeches made on the occasion of the opening of the new buildings at Glasnevin. The Lord-Lieutenant, who fully appreciated the difficulties in the way of providing accommodation for female students, said nothing which could be construed into a statement that those difficulties could be removed or a pledge that the necessary funds would be provided by the Government. I can only repeat that, while regretting that the Commissioners of National Education have not been able to provide a residence for the female students out of the sum placed at their disposal, I am unable to hold out any hope that an additional grant will be made to them for the purpose.

Administration of the Small Holdings Act.

MR. BENNETT: I beg to ask the Prime Minister whether the Government will consider the advisability of informing county councils that if adequate schemes for the provision of land, under the Small Holdings and Allotments Act, are not furnished by next Lady-Day county councils will be declared in default and the necessary schemes will be formulated by the Commissioners.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): No, Sir. I am doubtful whether the adoption of my hon. friend's suggestion would be likely to promote the efficient working of the Small Holdings Act. My noble friend, the President of the Board of Agriculture assures me that if any of the county councils refuse to exercise their powers with reasonable expedition he will not hesitate to take immediate action. As at present advised I may say that, in my judgment, the moment for taking action must be left to the discretion of my noble friend who alone is in possession of all the circumstances of each particular council.

Mr. BENNETT: Is the Prime Minister aware that the noble Earl the President of the Board of Agriculture considers the fixing of a time-limit for putting the Small Holdings Act into force an admirable suggestion?

Mr. ASQUITH: I agree with my noble friend. I think a time-limit is an admirable suggestion. I am not sure, however, that that moment has arrived yet.

Mr. MORRELL: Is the Board of Agriculture in a position to postpone the preparation and issue of the Reports made by Commissioners as seems to be suggested by the Question? Is it not the statutory duty of the Commissioners to prepare the Reports at once?

Mr. ASQUITH asked for notice.

Imports of Canadian Cattle.

Mr. GINNELL (Westmeath, N.): I beg to ask the Prime Minister in view of discussion on the new Irish Land Bill and the important bearing free importation of Canadian store cattle would have on the ability of purchasers to pay annuities contracted on the basis of those cattle being excluded, whether he can give any assurance that the present embargo against those cattle will be maintained, and, if so, for how long, or whether it is liable to be removed after tenants have signed purchase agreements and while they are paying annuities.

Mr. ASQUITH: The Government do not purpose as at present advised to initiate legislation at present for the admission of Canadian cattle. I cannot give any pledges as to the future; nor can I predict what action may be taken by any future Government.

Public Accounts Committee's Report.

Mr. BOWLES (Lambeth, Norwood): I beg to ask the First Lord of the Treasury whether he can now state what day he proposes to allot to the discussion by this House of the Reports of the Public Accounts Committee.

Mr. ASQUITH: I am extremely anxious to find some opportunity for a discussion of the Reports of the Public Accounts Committee, but I regret to say that I cannot at present see my way to give a pledge on the subject.

The Commons Bill.

Mr. LAMONT (Buteshire): I beg to ask the Prime Minister when he proposes to take the Second Reading of the Commons Bill [Lords.]

Mr. ASQUITH: I hope this Bill may be regarded as uncontroversial, and, if so, that it may pass its Second Reading and other stages after eleven o'clock between now and the end of the session.

Mr. CROOKS: Is that a Bill for the abolition of the House of Commons? I see it comes down from the Lords.

Mr. ASQUITH: The hon. Member had better possess himself of a copy of the Bill.

Small Holdings and Allotments Act.

Mr. BENNETT: I beg to ask the Prime Minister whether, in view of the fact that the amount of work to be disposed of by Parliament this session is now considerably decreased, he will be able to allot a day to the discussion of the working of the Small Holdings and Allotments Act.

Mr. ASQUITH: I regret that the amount of work which still requires our attention will prevent my being able to afford an opportunity for the discussion desired by my hon. friend.

Mr. MORRELL: Will the right hon. Gentleman give us a Saturday if we guarantee him a House?

Mr. ASQUITH: That is a public spirited offer which we will consider.

Proposed Indian Reforms.

Mr. SWIFT MACNEILL: I beg to ask the Prime Minister whether, having regard to the present relations between the Houses of Parliament and to the position of the House of Commons as a controlling power over Indian affairs, the promised legislation in relation to Indian reform will be introduced in this House.

MR. ASQUITH: I am afraid that I cannot add anything to the answer which I have already given to the hon. Member. I can make no pledge as to whether the Bill in question will be introduced in this House or the other.

MR. SWIFT MACNEILL: May I suggest that hope shall not be deferred till after the 14th? Is the right hon. Gentleman aware there is a considerable body of opinion in this country which does not think the House of Lords the proper medium for the introduction of legislation?

[No Answer was returned.]

MR. SWIFT MACNEILL: I beg to ask the Prime Minister whether, having regard to the fact that the promised statement of Viscount Morley on the subject of Indian reform is to be made, owing to his elevation to the Peerage, not in the House of Commons but in the House of Lords, the Papers with reference to the subject of Indian reform, whose publication and circulation have been promised, will be in the hands of the Members of this House, as the Assembly primarily entitled to information on public affairs, not after but before the delivery of Viscount Morley's pronouncement.

MR. ASQUITH: I can say no more at present than that the Papers will be circulated at the earliest possible moment.

The Education Bill Correspondence.

MR. LYTTELTON (St. George's, Hanover Square): Will the Prime Minister lay on the Table as a Parliamentary Paper a copy of the official correspondence in reference to the Education Bill? At present it is very difficult of access.

MR. ASQUITH: Yes, Sir.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London): Perhaps the Prime Minister can give some forecast of the business for this week.

MR. ASQUITH: We propose to take the Prevention of Crime Bill Report and Third Reading to-day, concluding, I hope, about dinner time. After, we shall ask the House to take the Second Reading of the East India Loans Bill. To-morrow we shall put down the Order for the Second Reading of the Irish Land Bill after a Motion for the suspension of the eleven o'clock rule. On Wednesday, as the first business, I propose to move the suspension of the eleven o'clock rule for the remainder of the session, and then I will make a general statement. On Thursday we propose to take the Report of the Coal Mines (Eight Hours) Bill, and, I hope, the Third Reading on Friday.

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had added to Standing Committee A the following Fifteen Members (in respect of the Poisons and Pharmacy Bill [Lords]): Sir John Tuke, Mr. Cross, Viscount Helmsley, Captain Craig, Mr. Solicitor-General for Scotland, Mr. Solicitor-General for Ireland, Sir James Duckworth, Mr. Idris, Mr. Dillon, Sir Walter Nugent, Mr. Snowden, Mr. Winfrey, Mr. Whitehead, Mr. Vivian, and Mr. George Thorne.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee; That they had discharged the following Member from Standing Committee A (in respect of the Poisons and Pharmacy Bill [Lords]): Mr. Secretary Gladstone; and had appointed in substitution (in respect of the said Bill): Mr. T. W. Russell.

Report to lie upon the Table.

REMISSION OF SURCHARGES (DUBLIN) BILL.

"To discharge certain surcharges made upon the accounts of the Muncipal Corporation of Dublin," presented by Mr. Nannetti; supported by Mr. Harrington, Mr. Field, and Mr. Waldron; to be read a second time upon Wednesday, and to be printed. [Bill 391.]

HOUSE OF COMMONS (ADMISSION OF STRANGERS).

The Select Committee on House of Commons (Admission of Strangers) was nominated of, Mr. Buchanan, Mr. Fenwick, Mr. William Redmond, Mr. Shackleton, Mr. Stuart, Viscount Valentia, and Mr. Stuart-Wortley.

Ordered, That Three be the quorum.—(*Mr. Joseph Pease.*)

ELEMENTARY EDUCATION (ENGLAND AND WALES) (No. 2) BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham), in the Chair].

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): Sir, I rise for the purpose of moving that you do now leave the Chair. It is, I need not tell the House, with sincere and profound regret that I am about to make this Motion, and in the very few words with which I shall preface it I shall endeavour to refrain, I will not say from anything in the nature of recrimination, for which there is no occasion, but from anything that has even the colour or suggestion of controversy. Let me recall the circumstances under which this Bill was introduced. It was not put forward by the Government as an embodiment of their own views, as the best solution of the problem of national education, nor, again, was it submitted as one of those measures of social reform of which happily there are many instances under all administrations which deal with questions outside the disputed domain of Party controversy. It was peculiar, and, indeed, in my experience, unique in this respect, that while the subject matter was admittedly, and even acutely, contentious, the scheme proposed was one of which some features were naturally and necessarily repugnant to one side, and other features as naturally and as necessarily repugnant to the other. No Government is justified in proposing such a measure unless it is satisfied in advance of two things: First, that the public interest urgently, and even imperiously, calls for a settlement, and, next, that upon the lines suggested there is at least a reasonable probability that such a settlement can be reached. Upon the first point there is in the present case almost complete, if not complete, agreement. Upon the second, while we never pretended that there was a concluded bargain definitely arrived at between representatives authorised to bind the various interests concerned, we did believe that in regard to essential conditions there had been such an actual interchange of give and take, and, in regard to what still remained open, such a willingness to proceed upon the same lines, that we were not only entitled, but bound, to run the risk of failure, and of such discredit as failure may always bring in its train, on the chance and in the hope of securing a national settlement. These hopes, to our great regret, have been for the time being disappointed. I am careful not to trespass on controversial ground, and I make no attempt to apportion responsibility. No one who has read the correspondence which has passed within the last few days between the Archbishop of Canterbury and my right hon. friend the President of the Board of Education can fail to realise that the conditions of an agreed settlement do not at this moment exist. I say nothing—I purposely say nothing—as to the merits of the matters at issue. In regard to one very important point—what is called contracting-out — the Government have come, after very careful consideration, to the conclusion that any material addition to the provisions made in the Bill, must have the effect of largely increasing the number of schools which would take advantage of it—a contingency we feel ourselves bound to guard against, both in the interests of a national system of education, and in justice to those who have made such large concessions on the other side. If there had been a proposal to confine contracting-out to a particular number of schools and to a particular number of scholars the question might have assumed a very different complexion. There is another point emerging from the same correspondence. We here are not likely to exaggerate the representative character of what is called the Church Council. But it seemed to us, and it seems to me still, impossible to ignore the fact that in that council, as lately as Thursday last, the only amendment, moved and supported by the bishops, to a resolution of root and branch condemnation of the Bill was to the effect—I quote the exact words—

> "That the Council could not recommend the Church to accept the Bill without serious amendment."

Of course, we entirely accept the statement made by the Archbishop of Canterbury, although no one could have guessed it from the published report, that the specific amendments to the Bill particularised in the Bishop of Salisbury's resolution were not put to the meeting, and if they had been, what I am certain must have been the case, the Archbishop and many of his colleagues would have voted against some of them. How can we, the Government, ask Parliament to treat the Bill as agreed in the face of such a declaration—and of the fact that the only amendments actually suggested in the second branch of the same resolution are of a character—I need only refer by way of illustration to the proposal in regard to the head teachers—as completely to upset the balance of the whole scheme. I do not want to initiate or invite any discussion at this stage as to the merits of these different matters. The question which presented itself necessarily to us was this, not whether in regard to these points or any of them, we were right or wrong, but whether they were points of sufficient importance indicating for a moment at any rate so wide a divergence of opinion as to render the further prosecution of the measure which in itself and by itself satisfies none of the interests concerned, which is put forward and accepted on the Second Reading as a compromise—to render the further prosecution of that measure a hopeful or even a practicable proceeding. I am afraid the answer must be in the negative. May I add, with the permission of the Committee, as I think it is an appropriate occasion for me to do so, some words of acknowledgment, which I believe will express an opinion widely prevalent on both sides and in all quarters of the House, to those men of different parties, different creeds, different shades of political and ecclesiastical opinion, who have laboured hard in this matter to bring about this compromise. First and foremost, I would venture to mention the name of my right hon. friend who sits by me, the President of the Board of Education. No one knows better than I do, and no one can know so well as I do who have been in daily, I might almost say hourly communication with him during many anxious and laborious weeks—no one can know so well how strenuous, how patient, how considerate, how indomitable his efforts have been. Sir, if ever there was a man who has earned a right to the blessing which is promised to those who seek peace and ensue it it is the right hon. Gentleman. A like tribute is due and ought to be paid to the great Archbishop, who in the face of obstacles and difficulties which would have daunted any man of less courage, has shown himself worthy of the title of *Pastor Pastorum Ecclesiæ*, and equally to those responsible leaders, both ministers and laymen, of the Free Churches who, for the sake of a national settlement in this matter, have shown themselves ready to lay aside and even to sacrifice greatly cherished ideas. Finally, may I add that the introduction of this measure will never be regretted or repented of by those who had any share in it for the sake of what it has accomplished in bringing into organised existence and articulate expression a vast body of opinion from men of all sections, creeds, and parties in this country in favour of conciliation and agreement? Having said that, nothing is left for me but to perform, which I do with infinite reluctance, the duty, the melancholy duty, of now bidding the Bill farewell. I am not ashamed to confess, if without undue egotism the House will permit me for a moment to refer to myself—I am not ashamed to confess that after a public life now prolonged for many years and spent for the most part, as many here will be ready to acknowledge, in acute and uncompromising controversy, with a fair share both of the smiles and of the frowns of fortune—I am not ashamed to confess that I have never experienced a more heavy and thorough disappointment. I say again I do not regret the attempt that has been made, and I would far rather have made that attempt, so far as my part is concerned, than for fear of failure not to have made the attempt at all.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Asquith.*)

MR. A. J. BALFOUR (City of London): I think everyone must have been impressed by the tone of obvious and pathetic sincerity which animated the whole speech, and especially the last part of the speech, of the right hon. Gentleman. I think he was well advised and had a clear sighted conception as to what is proper on an occasion like this, and on a subject like this, when he declared his intention not to drag in any unnecessary controversy, or indeed to dwell at all on the merits of the measure which he proposes shortly to withdraw from the further notice of the House. I shall follow his example. I shall not touch on the character of the measure or on the probability of its being that lasting settlement, which all those who were directly responsible for it, and all those who encouraged it in the various stages of its proceedings, so earnestly and sincerely desired that it should be. We are not now concerned with the character of the Bill, and, indeed, I am not quite sure that I fully understand what is the object of the right hon. Gentleman in the course he has pursued, in asking us on our side of the House to express our opinion on the transactions and negotiations in which this measure took its origin, and on the course which the Government, now during the Committee stage, are going to pursue. I am very unwilling to utter any note that might be considered of a jarring character on such an occasion. But I suppose that the right hon. Gentleman did desire that we should say something, not on the merits of the Bill, but on the negotiations connected with it. The right hon. Gentleman will forgive me for saying that it almost seems to me as if the unhappy catastrophe that has occurred was almost inevitable from the misunderstandings which arose at the very beginning of the negotiations between the Archbishop and the Government. If the Government look back over what has occurred during the last three or four weeks they will see it was scarcely possible that a more fortunate issue should attend these Parliamentary efforts than has in fact attended them, if we remember that the whole essence of this Bill, the whole prospect of its success in the House and the country arose out of its being an arranged Bill between the Government on the one side and the Archbishop and the great majority of the bishops on the other. It might be possible, and many thought it was possible, that a Bill under these auspices could become law and that the objectors on both sides might have found themselves to be false prophets, and that all sections of the community, however reluctantly, might have acquiesced in the settlement. But the one chance of such a settlement surely was that the Government, knowing that they did not carry with them, and indeed did not profess to carry with them, the convictions and ideals of the great mass of the party to which they belong, and knowing that their proposals would be violently resisted by a great section of the community which belong to other parties—the only chance was that there should be a real and thorough agreement at all stages with the Archbishop and the bishops. That, and that alone, it seems to me, could have justified the Government in rushing the Bill through the House. Nobody could defend that procedure on its Parliamentary merits. Everybody knows that to introduce a Bill on a Friday, print it on Saturday, read it a second time on Monday, begin the Committee stage on the Wednesday following with closure by compartments—everybody knows that that is so violent an infraction of the ordinary methods of Parliamentary procedure that the only justification could be that there was such an agreement between the Government and the great central body of opinion in this country that they could drive it through, and that the extremists on either side might be compelled to accept it as an accomplished fact too strong to disintegrate. I do not say that that is a justifiable argument, but it has something to be said for it by those who thought that no other means than unconstitutional or semi-constitutional violence could bring about the result they desired. I do not propose to criticise this Parliamentary action except from this point of view, that in order that it should be justified at all the Government should see that there was a very clear agreement on their part with those on whose co-operation they depended for the success of their proposals before they embarked on the measure. Is it not abundantly clear through the whole of this lengthy correspondence that has passed, the Archbishop over and over again pointed out that in his view the financial proposals and the adequacy of the financial proposals, both as regards contracting-out and the transfer of schools, were not matters of detail which could be left for settlement hereafter, but were of the essence of the settlement? Everything turns on what is meant by "reasonable." It is a phrase which recurs in different forms throughout the correspondence. The Archbishop is constantly bringing it before the Government, and constantly asking the President of the Board of Education: "Are the terms you are going to propose in the Bill terms such as I could accept on behalf of my episcopal colleagues and the Church at large?" Until agreement was arrived at upon that point it surely was very inexpedient to try and force the Bill through the House, and such an attempt could only lead to the unhappy disaster which the right hon. Gentleman has, in such feeling language, deplored this afternoon. Everybody who reads the correspondence will admit that the whole attitude of the Archbishop from the beginning was of a kind which led the Government to know that the financial arrangements which he thought absolutely necessary were at least as great as those which the Government now declare to be inadmissible. Nobody who reads the correspondence can doubt that. [MINISTERIAL cries of "Oh!"] Well, I have read it most carefully, and I am driven to that conclusion. Surely, the only hope of success was for the Government and the Archbishop, before the Bill was introduced, to examine into the condition of these schools, to agree upon the statistics, to make out a clear account of what was required for these denominational schools, and state what were the fair terms on which trustees of the schools would be required to part with their property. Unfortunately, most unfortunately, the Government chose to regard that as a detail, and each time put off the Archbishop with the suggestion that that was a matter which could be adjusted afterwards, and that he might be confident he would receive generous treatment. I am sure the Government thought the terms were generous, but I am equally sure that if at any stage in the negotiations the Government had told the Archbishop what that treatment was to be, the Archbishop would have at once said without hesitation: "This is not the generous treatment I was led to expect. This is not an arrangement which I think is possible for the schools, and until we can hammer out some different plan it is vain for me to say, on behalf of the Anglican Church, that I think there will be any acquiescence in the scheme of the Government." That seems to me so obvious that all that has occurred since comes from it by an irresistible process of practical logic. The right hon. Gentleman has spoken, and I think in terms none too strong and none too favourable, of the body of moderate opinion which desired to see a settlement. Who, of all others, may be said to represent that body of moderate opinion semi-officially? Why, the Committee of Conciliation. Who was Chairman of the Committee of Conciliation? The Bishop of London. Before the Second Reading of the Bill was carried through this House, the Bishop of London felt himself compelled to say that if the Bill remained, or if he had to vote on the Bill as it then stood, he would vote against it. That is a most unhappy position. The Bill cannot go forward as an agreed Bill under those auspices, and I do not see how it was possible to foresee any other fate than that which has overtaken it. May I say one word about denominationalists for whom the Archbishop has no title to speak—I mean the Roman Catholics? What are the facts? I do not understand that any negotiations ever took place with the Roman Catholics until just before the Bill was introduced. Conversations with the Archbishop apparently have been going on sporadically since May last, and it is certainly matter for regret that in all the months which have elapsed since

May last there could not be an agreement between the Archbishop and the Department as to the actual facts connected with the voluntary schools, and that it could not have been seen whether, on the basis of those facts, an arrangement could be come to. But I do not understand that with the Roman Catholics there was any discussion at all. Was there any discussion?

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): Yes, certainly.

MR. A. J. BALFOUR: I was aware that just before the Bill was introduced there had been something said in relation to the Roman Catholic Church, and I certainly thought that they were presented at that late stage with something in the nature of a concluded arrangement, and that they had no opportunity of pointing out, before the Bill was introduced, how it would affect their interests. I must say that a Bill which is really unworkable from the Roman Catholic point of view is a Bill which does carry in itself the seeds of destruction. I think that any Government who really did endeavour to bring forward a Bill which absolutely prevented the Roman Catholics from carrying out that kind of religious training for their children which they conscientiously believe to be necessary, is a Bill which I feel confident would have to be revised, even if it were passed. I may be wrong in that matter, but I think so. But, however that may be, surely before these balanced settlements are gone into, so great an educational interest as that of the Roman Catholic people ought not to have been entirely put on one side, or at all events, consideration of it ought not to have been so late. These are the only observations which I think it necessary to make at this stage of the measure. I abstain from all commentary upon the measure itself, and from all criticisms of the many difficulties which might have arisen, and in the view of many of us were likely to have arisen had the Bill been passed; but I do say that we cannot contemplate those long negotiations between the official leaders of the English Church and the Government without regretting that the Bill was introduced at that critical moment when all that the Church was to give up was clearly ascertained and definitely put down in black and white, while all that the Church was to get was left to subsequent arrangement. [MINISTERIAL cries of "Oh"]. That is not denied by the authors of the Bill, and it is clearly apparent in the correspondence of the Archbishop; that is to say, up to the very last moment, the Archbishop said: "Everything turns out upon the figures, and you have not shown me any of the figures." I do not think that anybody who has the correspondence in mind can have any doubt about that. The Government, no doubt, sincerely believed that the terms they were giving were generous. It is at least equally certain that if those terms had been known to the Archbishop of Canterbury, he would have told them before the Bill was in print, that it was of no use bringing in that measure in the hope that he would be in a position to express on his own behalf and on behalf of the majority of his colleagues their adhesion to that particular plan. I think it is a very unfortunate state of things. That it is a waste of Parliamentary time is one of the smallest of the evils attendant upon it, but unfortunately it has led to all the evils which an unsuccessful attempt of this kind necessarily carries with it. While, for my own part, I accept in the fullest spirit of assent all that has fallen from the Prime Minister with regard to his keen and earnest personal desire, and that of his colleagues, to obtain a permanent and peaceful solution of this long controversy, I do feel that the actual steps by which they have endeavoured to attain that object, though admirably meant, though carried through in the best of tempers, were from the very nature of the diplomatic errors committed, almost foredoomed from the very beginning to wreck the Bill for which they made themselves responsible. I do not know what the future fate of the measure may be, but in any case it is certain that I can associate myself with the right hon. Gentleman in regretting that such a termination should have occurred to efforts so well meant on the part both of the Government and the authorities of the Anglican Church.

Question put, and agreed to.

[No Report.]

PREVENTION OF CRIME BILL.

Order read, for resuming adjourned debate [24th November] on Amendment proposed on Consideration of the Bill, as amended (in the Standing Committee).

Which Amendment was—

"In page 5, line 6, to leave out Part II. of the Bill."—(*Mr. Atherley-Jones.*)

Question again proposed, "That the words proposed to be left out, to the word 'whether,' in page 5, line 7, stand part of the Bill."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): It will be convenient to the House, I think, if in regard to the Amendments I have put down I make a short statement. I recognise that strong and genuine objection has been taken to certain portions of Part II. of this Bill, and I recognise that all the more readily because of the friendly consideration which the House has given to the Bill. The Amendments which I have put upon the Paper are to meet the main objections which underlay the speeches on the last occasion of my hon. and learned friend the Member for North-West Durham and the Member for Mayo. First of all, as to indeterminate sentences, it is objected that the termination of those sentences must necessarily rest in the discretion of the Secretary of State. In the second place, thereby, too much responsibility was given to the Home Secretary and the Prison Commissioners. Thirdly, that the sentence should not in any case be an indeterminate sentence. Of course, the indeterminate sentence as originally proposed had been seriously curtailed, but I have never denied that the reservation in Clause 12 still allowed the Home Secretary to continue the sentence indeterminately. Therefore I have put down Amendments to meet these three points. Instead of proposing that the sentence should be during the King's pleasure powers will be inserted giving authority to the Court to sentence to preventive detention for a maximum of ten years and a minimum of five. I hope the House will agree that these Amendments meet the root objections which have been expressed against Part II. of the Bill and that they will accept them in the spirit in which they are offered and will give friendly consideration to the clauses.

MR. BELLOC (Salford, S.): I gather that for five years a sentence may remain indeterminate?

MR. GLADSTONE: That is so.

MR. BELLOC: And a sentence of three years penal servitude may be followed by a five years minimum of indeterminate imprisonment?

MR. GLADSTONE: Powers are specially reserved to the Home Secretary to remit, if he thinks fit, the five years minimum or any part of it.

*MR. LYELL (Dorsetshire, E.) said the Home Secretary had made an extremely interesting announcement. The Amendments were put down on objections raised by the hon. Members for Durham and Salford, which he thought were not stated in altogether a very fair way. The hon. Member for Salford's theory of punishment was that when a person had committed an offence he ought to purge his crime. He told them that that theory was some 3,000 years old, and went right down to the roots of all human society, and added that after enduring his punishment, the criminal should be free again. That meant that they were to have a sort of nicely graded vengeance meted out for every single offence, and that they were to have this vengeance, by a sort of judicial system, distilled drop by drop and measured out in regular doses for each offence. The hon. Member believed in this system, and, at the same time, said the system proposed by the Home Secretary was barbarous. When it was a question of barbarity in punishment, the boot was altogether upon the other leg, and the word would be very much more fitted to the idea of the hon. Member for Salford. He was not prepared to argue on the abstract question, as to whether the community had the right to punish. There had been some great criminal judges who absolutely denied that there was any such right, and said that punishment lay with a higher authority. But the community at least, had a right to protect itself in the only possible way, by deterring from crime. They knew the circumstances which had caused the Bill to be brought in. Crime in general was on the decrease, as might be proved by statistics, but professional crime, habitual crime, recidivity was on the increase, as was proved by the statistics of such crimes as burglary and housebreaking, which were essentially professional crimes, and not the results of pecuniary or momentary temptation. The theory underlying the Bill was that punishment was no longer to fit the crime, but was to fit the criminal, and to achieve that they must start upon something in the nature of a study of criminal psychology. He was sure the hon. Gentleman would not deny that all modern science was steadily lowering the barrier which had hitherto existed between crime and disease.

Mr. BELLOC: I should deny that absolutely. It is the worst piece of charlatanism that we suffer from.

*Mr. LYELL was sorry to hear the hon. Member make such a statement. Did he deny that there was now a very large number of people in asylums who fifty or even thirty years ago would have been in prison? More and more every year offences which used to be treated as crimes, were treated as mental diseases by confinement in asylums. They desired that that treatment should be carried still further. He was not very sure that he agreed with the Home Secretary in proposing that under all circumstances indeterminate sentences should be preceded by a minimum period of three years penal servitude. He knew the arguments put forward in support of it, but he should like the Judge to have power, when dealing with one of these habitual offenders, who was suffering so not so much from a tendency to professional crime as from weakness of will—one of those people on the borderland between criminal impulse and a diseased mind—to give a sentence of detention in one of these asylum prisons without the necessary preliminary of three years penal servitude. He hoped his right hon. friend would reconsider the point. The hon. Member for Salford had complained that this was simply a matter of the protection of property, and he was thinking of the professional criminal who burgled in Park Lane and carried off miniatures or enamels. But why should not the person who owned enamels be protected from the professional criminal? Then he thought those who raised objections to the Bill forgot that there were robberies from the poor as well as from the rich. All the burglaries committeed by professionals were not committed in Park Lane. Again, a good many offences which he thought might be treated in this way by indeterminate sentence were not offences against property. There were such things as offences against children, which ought to be treated more or less as cases of mental disease rather than of criminal impulse. Here was surely a case where long periods of detention, in such asylums and prisons as might have a recuperative effect upon moral character in eliminating, as far as possible, evil impulse, in building up will power if it had degenerated, were proper. Besides the habitual criminal, the weak-willed criminal who had not the resisting power to stand up against temptation or impulse to crime, they had what was known as the professional criminal who deliberately preferred a life of crime and spent his time during occasional incarceration in planning and perfecting intended crimes which he meant to commit when he came out. That was the most dangerous fellow. That was the class which they desired to see dealt with severely, because it was the class for whom our present system had admittedly broken down. They could not go back on the old system of long terms of penal servitude. The system of short sentences had broken down because it did not have a deterrent effect on this particular kind of man. Sometimes people objected to that and said that in the old days the system of barbarous sentences, immensely long, with execution for all felonies, was not deterrent. But that was not because it was not sufficiently severe, but because the criminal had in all cases a very good chance of escaping, because the whole science of the detection of crime was in its infancy. It was 100 to 1 against his being caught, and savage punishment was meted out to a man who was caught. Nowadays the science had advanced so much that a criminal had a much better chance of being caught. He did not think the professional criminals, who had no intention of reforming, were a very big class. Some time ago Sir Robert Anderson threw ridicule upon the advertised statement of a burglary insurance company that there were 70,000 thieves known to the police, but said that if he, as head of Scotland Yard, could be given power to shut up or control the actions of seventy individuals whose names and addresses he could give, he would make an enormous diminution in the criminal statistics of London. To show what was the attitude of these men when in prison: on one occasion an English minister was visiting an American prison, and was shown a man of very good education who seemed to be capable of much better things. He entered into conversation with him. The man said: "You come from England, do you not?" "Yes," was the reply. "And you are fond of fox-hunting?" "Yes." "When you go out and get a fall do you make up your mind never to mount a horse again?" "No." "Well, I am in the same position. I have had a mighty bad fall, but as soon as I am better I shall go out hunting again." As long as a man adopted that attitude and that frame of mind he should not be allowed to go out and prey upon society. He desired that the movements of that man should be controlled instead of being subjected to the cruelty of penal servitude, and as long as that man continued in that frame of mind society should have the right to protect itself against him. They might apply in such cases the test of restitution. In an enormous number of cases a man was brought up, tried, proved guilty up to the hilt, and sentenced, and although he knew he might get a remission of his sentence if he would state what had become of the stolen goods, he absolutely declined. As long as a man declined to say what he had done with the proceeds of the robbery or refused to name the receiver, it was perfectly impossible for anybody to suppose he had arrived at a determination to lead an honest life. In the case of a habitual offender who had received an indeterminate sentence or a kind of detention which would be inflicted under this Amendment, he thought the detention should last to the maximum of ten years where the man declined to assist in the restitution of the stolen property. It was because he believed the Bill was not a method of barbarism but represented a great advance that he supported the retention of Part II.

MR. LYTTELTON (St. George's, Hanover Square): I desire to support the compromise which the Home Secretary has indicated upon the Amendment of my hon. and learned friend below the gangway. I think the logical issues were well stated in the controversy between the hon. Member for Tyneside and Mr. Chesterton. The hon. Member for Tyneside was arguing that prison treatment of criminals should be of the curative kind and prisons should be akin to hospitals. That view was stoutly contested by Mr. Chesterton, who said—

> "Supposing I send my maiden aunt to a hospital to be cured of deafness. I ascertain after six months by conversation or the firing of a gun whether a cure has been effected or not. But if I send her to prison to be cured of ill-temper I do not know whether her temper is worse than her gaolers'."

This sums up the extraordinary position of the issues in this matter. In theory, were we all perfect, and if all gaolers were perfect, the original proposal for indeterminate sentences would be preferable. I am sure no one could possibly guarantee absolute security under such a system, and I think we might go as far as the Home Secretary has offered to go. I thoroughly agree that you have not to consider rich people only in this matter, and I know that many of our Judges when dealing with cases of theft or burglary from the houses of the rich do not consider the crime so grave as where the houses of the poor are concerned. I can say from a long experience, that immense hardship and injustice is caused by the continual robbing of small things from small people, and it is absolutely necessary to protect this class of poor people from the depredations of these men. We want to put a stop to that, and that is one of the great things that would be put a stop to. Another advantage is that this proposal would strike at the root of the most dangerous system of crime which exists, namely, the trained receiver. If it be made a condition of release to a prisoner that he explains with truth the persons by whom stolen goods are received, that would strike at the very root of crime. We should do more good by the conviction of one receiver than by the conviction of a score of ordinary criminals. Those are two immensely good results we are likely to get from this Bill. For these reasons I desire to express my entire approval of the system of indeterminate sentences as limited by the proposal of the Home Secretary.

Mr. J. M. ROBERTSON (Northumberland, Tyneside) said he did not think the question of indeterminate sentences had been exhausted by the analogy used by the right hon. Gentleman. It was a question of adapting means to ends. There had been hospitals for lepers, and there were hospitals for the segregation of people with infectious diseases, and as the advantages of segregation became better known there would be more and more segregating of people who were afflicted with highly contagious diseases. In all these cases means should be taken to ends, and one end was the protection of the community and not merely the cure of the prisoner. Surely the first and last object ought to be the protection of the community. [Cries of "No, no."] That was the whole issue between the two schools of thought. If they were going to send a person to prison in order to mete out a certain measure of retaliation it was proceeding on the principle of the Chinese who punished crime by so many blows with a bamboo, some with five blows and some with ten, using bigger bamboos for the higher scale, and in more serious cases banishing the prisoner so many leagues from the capital. It was time the community took this subject in hand, and disregarded traditions which were more than 3,000 years old, and belonged to the Stone Age. His hon. friend the Member for South Salford pleaded prescription for that practice with a confidence which he had never seen before. The system of punishment by retaliation and vengeance, having no regard to the person, was one of the most imbecile ever associated with criminology. The whole principle was that, the good of the community and the safety of the community being the end in view, the treatment of the offender was subsidiary to that; but inasmuch as the cure of the offender was one of the best means of protecting the community they should also look to the cure of the offender; but, first and last, they should protect the community. When he first investigated this subject it was on the score of humanity, and he was concerned to find some more rational basis for action than the present system in order to get rid of the enormous amount of cruelty that existed. That cruelty had gone on year after year, and his hon. friend had never moved a finger in regard to it. Let them take the case of the ordinary criminal. The principle underlying the indeterminate sentence was that not only would they detain the bad criminal for a long period, but also that the man who was not a bad criminal would get out sooner than under the present system. The principle had two sides. It was not only the protection of the community against bad offenders, but the protection of the community from the long detention of the offender who was not dangerous to it. Under the present system a man was tried by a Judge who had regard solely to the offence. Surely the theology of his hon. friend the Member for Salford should make him take into account the state of mind of the criminal, if retaliation was to be retaliation, or if vengeance was to be vengeance. The present system could not take account of his state of mind. It could at most take account of the fact whether an offender had committed a first offence or was a young offender. An offence which would be the same in the eye of the law, might be committed by two men, though from the psychological point of view the two offenders might be as wide as the poles asunder in point of culpability. One man might have erred under motives that were hardly to be called criminal, and the other might be ne of the worst of his species. Under he Roman system of retaliation for crime both were alike. It was undoubtedly true that modern science was coming more and more to see that crime ought to be treated not as a disease, but as something to be handled as they handled a disease—that was by a scientific prophylactic, and in a spirit devoid of vengeance or retaliation. He should have expected his hon. friend to acknowledge the real differences in respect of he mental condition of offenders. In regard to the question of mental condition, the issue did not turn upon the acceptance of anything like identity in he offence. The hon. Member for Salford failed and must fail to justify he present system, even if they took ll criminals being what he called responsible persons. Putting the insane problem out of sight, and putting all criminals on the same footing, still he system of mechanical retaliation was unsound. The system could not be made intelligible. They could not rationally decree vengeance for a given amount of wrong doing.

MR. A. DEWAR (Edinburgh, S.) said he supported this measure, but wished o direct the attention of the Home Secretary to two points which might render this clause inoperative or not suited to the object at which he was aiming. He understood that it was the desire of the right hon. Gentleman that all dangerous criminals should be detained beyond the ordinary term of mprisonment with the view to curing them. But not only was some kind of curative treatment required for the criminal who had committed a great crime, but also for the offender who repeatedly committed small crimes. He remembered a case before a Criminal Court in which a woman fifty years of age was charged with an offence of a class of which she had been brought up so frequently that she had spent twenty-six years of her life in prison. She had had seven years penal servitude the last time, and it was clearly a case where the woman ought to be detained. The Judge took a merciful view of the case and would not send her to penal servitude; he sent her to prison for a month or six weeks.

MR. GLADSTONE: That is a point I spoke about on the Second Reading and also in Committee. I tried to show clearly that the cases I had in my mind were those committed by dangerous professional criminals, and that we could not undertake within the scope of the scheme to deal with that large class of offenders who were guilty of small petty crimes. I entirely agree with my hon. friend that that is a class who ought to be dealt with, and I hope they will be dealt with. As regards the mental condition of offenders, that is a matter which we cannot get within the limits of the scheme. This is an experiment and I hope the other one will follow.

MR. A. DEWAR said that an offender who frequently committed small offences sometimes received a sentence of five or seven years penal servitude. He thought such an offender should have prolonged detention in a place where the treatment would be partly punitive and partly curative. But under the proposal in the Bill as it stood they would not succeed in getting a person like that into the curative prison. He thought such offenders ought to be sent there. He was certain that there would be more hope of doing good among that class by that means. He did not know whether under subsection (2) they would get one of that class into a house of detention, because there were two things to be proved before a man could be sent there. First of all, he must have been three times previously convicted. and, secondly, it had to be shown that he had been persistently living a criminal life. It was easy to prove previous convictions, but how were they to prove to the satisfaction of a Judge and jury that a man had been persistently living a life of crime? The only competent evidence of crime would be in the previous convictions, and he was quite certain that no Judge would allow a charge of crime to be brought against a man except upon indictment. In Scotland, a crime could not be proved against a man unless he was charged on indictment with the crime. Therefore, proof of three previous convictions would not be sufficient for what the right hon. Gentleman wanted. Something else was required. That was evidently to be the statement of a policeman that the man had been associating with criminals and that he was not a respectable man. He ventured to say that no Judge would allow evidence of that sort unless special power was given in the Act. He did not see any proposal to give that power.

*MR. RADFORD (Islington, E.) expressed the hope that the Home Secretary would not accede to the suggestion of the hon. Member for South Edinburgh. If he did so, it would introduce into the Bill another element, namely, the evidence of the police as to what they thought was a persistent life of crime. The speech of his hon. friend the Member for Tyneside would have been convincing if he had been referring to a measure to substitute preventive detention for the penalties which were at present provided by law. But he was left unconvinced, as they were not dealing with a measure for preventive detention simply, but for superimposing that system on the top of the existing one. The hon. Member for East Dorset had stated that the Bill mainly concerned a very small number of hardened and well-known criminals. The hon. Member's speech would have been more appropriate if it had been delivered in support of a privilegium or special law to deal with well-known criminals, whose names might be scheduled to the Bill, but it did not appear to be a convincing argument in support of this measure. When in a previous debate the Home Secretary made a speech explaining Part II. of the Bill the House largely sympathised with him in his condemnation of the futility and cruelty of the present system. If this Bill which introduced the system of indeterminate detention had been accompanied with an entire revision of the penal code, then this part of the measure would have deserved careful consideration and support. But when they had added by the Bill to all the different periods of imprisonment and penal servitude which might be given by the Courts to habitual criminals this indefinite period of from five to ten years, the case was altered. The Home Secretary in urging the Bill on the House on a previous occasion had told them that it was a merciful measure; but if it was to be regarded as merciful he felt tempted to ask what was justice. It would be nothing else than perpetual imprisonment. It might be that that was a right remedy for the habitual criminal, and he was not prepared to say that it was not. He had not had the advantage of sitting on the Committee that dealt with the details of the Bill, but he had heard nothing in the House which justified them in thus increasing the severity of criminal legislation. His opinion was that the Bill would have the effect of making short sentences long, although the right hon. Gentleman the Home Secretary assured them in a speech the other day that it would not have that effect; and that there were safeguards against that. The right hon. Gentleman pointed out that there was the fiat of the Public Prosecutor, the discretion of the Judge, and finally the discretion of the Home Secretary. He was afraid that these safeguards would not be effective. What could the Public Prosecutor do? He could only ask a clerk in his office to look up and see whether against a particular prisoner there were three certificates of previous convictions, and if he found that that was the case he granted his fiat. Therefore, he regarded that safeguard as purely nugatory. The Home Secretary's argument as to the Judge's discretion was that when the Judge before whom the prisoner was tried knew that there were previous sentences of penal servitude against him he would reduce the preliminary sentence in view of the longer subsequent period of detention. He was not at all sure that that was likely to be the result. It was common knowledge that some of our Judges passed sentences which could only be described as savage, and he thought it was not unlikely that such Judges would have an added pleasure in giving long preliminary sentences to be followed by the longer indeterminate period of detention. [Cries of "Oh!"] Well, some Judges had continued to give long sentences without any serious interruption by the Home Secretary. So that the check of the Judge's discretion was uncertain and ineffective. Moreover, the increased power given to Judges would aggravate the xisting evil of the inequality of sentences. was said that the Home Secretary would e ready as soon as a prisoner had shown ny signs that he would henceforth lead an onest life, to set him free. But it was ell-known that it was the men in rison who had the best character and ho knew how to get the highest marks, ho were often the very worst scoundrels n the whole crowd. In speaking of the iscretion of the Home Secretary he esired to say that it should be received ith the greatest respect; but they ould not but recognise—there was no se in talking cant about it—that the ome Secretary was really the mouthiece of the official machine. He could ot be anything else. He replied to uestions put by hon. Members in the ouse by reading answers which he often id not understand—[Cries of "Oh!"]—nd which had been furnished to him by is officials.

*Mr. SPEAKER said he did not see n what respect the argument which he hon. Gentleman was now putting orth, had anything to do with the Bill efore the House.

*Mr. RADFORD said he understood hat what they were discussing was that he period of indeterminate detention of a risoner was subject to be reduced by he Home Secretary. Now, the Home Secretary had on a previous occasion nformed them that he would intervene o reduce the period, when there was n opportunity on report of the behaviour f the prisoner for doing so. To him it seemed that the effect of the Bill would be to make short sentences long, and that the safeguards mentioned by the right hon. Gentleman were illusory. He, therefore, could not see his way to support this part of the Bill.

Mr. LUPTON (Lincolnshire, Sleaford) said he was delighted with the speech of the Home Secretary, but he failed to see perfect agreement between the speech and the Bill. If the Bill had carried out the speech then he would not have troubled the Home Secretary by speaking at all; but would simply have applauded him and voted with him. But he failed to see in the Bill the fulfilment of the beautiful promises the right hon. Gentleman had laid down. There was nothing to show that the preventive detention would be less severe than ordinary penal servitude, and he hoped that the Home Secretary would move some Amendments making it different from ordinary imprisonment. Punishment was supposed to benefit people, but as a matter of fact, as the right hon. Gentleman himself admitted, punishment was not as curative as it was supposed to be. If the Home Secretary proposed to substitute a period of detention for a period of penal servitude, then he would have his hearty support; but he could not agree to superadd a period of detention to a period of three years penal servitude, which was in itself a terrible and awful sentence. Such measures as this were intended in the first instance for the protection of society, and he wished to put himself in the position of a man whose house was being robbed by one of these professional criminals. He did not mind much if anybody burgled him—indeed he should be very glad if his goods were burgled, because he was fully insured if that benefited anybody much. But if a burglar rushed at him with a dagger, as one did at a friend of his, or with a pistol, and inflicted a serious wound, it would be very little satisfaction to him to know that the burglar would undergo a long term of imprisonment and an additional period of preventive detention. He would much rather that the punishment should be excessively mild than that it should be so severe as to induce a wrongdoer to adopt violent methods in the hope of avoiding capture. Therefore, looking at the matter from the point of view, not of criminologists, not of Judges, not of the Home Secretary, who had great ideas of reforming criminals, though probably in this he would not be very successful, but simply from the point of view of the householder, who did not want to be damaged by a rough man, he would be willing to let burglars take his goods so long as they went away quietly. He hoped the Home Secretary would avoid doing anything which would make the desperate criminal more desperate still if that was the effect the Bill would have.

Mr. ATHERLEY-JONES (Durham, N.W.) said that as his Motion to leave out Part II. of the Bill was mainly directed against the indeterminate period of detention, and as his right hon. friend the Home Secretary had assented that that proposal should be abandoned or greatly modified in other directions, he asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Mr. PICKERSGILL (Bethnal Green, S.W.) said that by this Bill a person who had had three convictions for the commission of a crime recorded against him, would render himself liable to new and additional penalties. By the Bill it was also provided that the person should be subjected to the new penalties for three previous convictions but that the last of the three might have taken place before the passing of this Bill into an Act. That was retrospective legislation of the worst possible kind. He understood that the Secretary of State said he accepted the Amendment and the next one, and therefore he would say nothing more.

Amendment proposed—

"In page 5, line 7, to leave out the word 'whether.'"—(*Mr. Pickersgill.*)

Question proposed, "That the word 'whether' stand part of the Bill."

Mr. GLADSTONE was understood to say he accepted the Amendment.

Amendment agreed to.

Amendment proposed—

'In page 5, line 7, to leave out the words 'before or.'"—(*Mr. Pickersgill.*)

Amendment agreed to.

Mr. GLADSTONE said the next Amendment in his name was merely a drafting one.

Amendment proposed—

"In page 5, line 8, to leave out the first word 'a,' and insert the word 'the.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. PICKERSGILL, in moving to omit the words "and the Court passes a sentence of penal servitude," said he desired to raise the issue to which attention had already been called in the course of the general discussion. Under the Bill as drawn a sentence of penal servitude must necessarily precede the period of preventive detention; that was to say the only avenue—if he might so express it—to this period of preventive detention was a sentence of three years penal servitude. If he might say so, he was very much surprised that the Home Secretary should persist—if he proposed to persist—in that provision, especially after his speech the other night. In that speech the right hon. Gentleman condemned in terms quite as strong as he himself could use the demoralising effect of the penal system, and yet the Home Secretary was now proposing that prisoners should have a period of this demoralising treatment as a preliminary to the reformatory method, which was to follow under the name of preventive detention. Upon what ground did the right hon. Gentleman found this extraordinary proposal? The right hon. Gentleman said that this part of the Bill was only intended to hit the dangerous criminal, but where was that in the Bill? There was nothing whatever about the dangerous criminal in the Bill. It was substantially provided by the Bill that any person who committed a series of petty larcenies might render himself liable to the penalties of the measure. He would not say anything about the Judges of the High Court, but they knew very well that Quarter Sessions throughout the country constantly passed sentences of penal servitude upon criminals who had never committed anything worse than a very small larceny. If that was so, it was perfectly clear that the Home Secretary's object in limiting this Bill to the dangerous criminal would not be attained. His hon. friend across the gangway a little while ago referred to a case in his experience of a woman who had stolen garments from a clothes-line and had persisted in that course of crime for some period. That woman would be liable to the penalties of this Bill. There was nothing whatever to limit it to the dangerous criminal, and as a matter of fact, as he had already said, Quarter

Mr. Atherley Jones.

Sessions passed sentences of penal servitude for these very small crimes. Apart from that, however, if they passed this Bill in its present form the effect would be that any Court who believed preventive detention and held that it was a good thing, would be compelled to pass a sentence of penal servitude, in order that reformatory treatment might come into effect. He could not conceive anything more—he would not use strong language, but at all events such a course was totally opposed to the principles of our criminal law as it imposed a rigid rule. These rigid rules used to exist in our criminal law, but they existed no longer, and for many years past the tendency had been to make our criminal law elastic and give great discretion to the Court. It might be in some cases right that a criminal should undergo a period of penal servitude or imprisonment before a reformatory treatment was entered upon, but surely they were not going to lay it down that a sentence of penal servitude must on all cases precede the period of preventive detention. He could not think that this particular provision would commend itself to the general feeling of the House. He begged to move.

*MR. LYELL seconded the Amendment, and said that the part of the proposals of the Government it dealt with ran directly contrary to the whole spirit of the Bill. The spirit of the Bill was the abolition of imprisonment and to entrust a very great and important discretion to the Judges, but just at the moment they were doing that, the Government were taking a large and integral part of it out of the Judges' hands by laying down this rigid rule, that under all circumstances penal servitude was to be a necessary preliminary for the kind of imprisonment which his right hon. friend contemplated in one of these new establishments. He believed that there were many cases, and that indeed in most of these cases of professional criminals with which they were dealing, three years penal servitude would come into play, but that was no argument for taking out of the hands of the Judge the discretion and saying that three years penal servitude should be a preliminary before preventive detention was tried at all. In a great many cases it would compel the Judge who desired to impose a term of preventive detention, against his wishes and what he felt was right in order to meet the case, to pass a sentence of three years penal servitude. It was a crushing and cruel sentence, but in many cases he might feel compelled to impose it, but on the other hand, he might think that a prisoner ought to be dealt with by this preventive detention, and was exactly the kind of case which this system was designed to meet, and in this case the Judge might feel that it would be a barbarous thing to sentence a person to three years penal servitude, and would not inflict it. Therefore, the very kind of treatment which they wanted to give would not be brought into play, because the Judge could not bring himself to impose three years penal servitude. All they asked for was that the Judge should have a discretion in the matter, and be left to exercise his judgment as to whether he would or would not give a sentence of that kind. He hoped his right hon. friend would, at all events, be able to give them some kind of explanation of the matter. He begged to second.

Amendment proposed—

"In page 5, line 9, to leave out the words 'and the Court passes a sentence of penal servitude.'"—(*Mr. Pickersgill.*)

Question proposed, "That the words 'and the Court passes a sentence of' stand part of the clause."

MR. ADKINS (Lancashire, Middleton) said there were many considerations which would possibly lead the House to reject the Amendment. The proposals in the Bill were of considerable novelty, and the modifications made by the Home Secretary at any rate changed his attitude from one of great suspicion to one of considerable hopefulness. It was most important that the new method of sentencing people who were sent to the maximum term of imprisonment should only be tried first in a comparatively small number of cases and in regard to comparatively few types of criminals. If they limited it to those who had already been convicted of penal servitude they would limit it to those who were, in the opinion of the Court, habitual or dangerous criminals, but if they accepted the Amendment and allowed the Court to submit a man to this preventive period of detention without sending him to penal servitude, or, to carry it to its logical conclusion, without sending him to imprisonment first, they would then in his judgment, be leaving too much to the discretion of the Home Office and neglecting that aspect of crime which was penal as well as remedial. From the point of view of one who was sympathetic towards the new proposal and anxious to keep it within definite limits he supported the Government scheme and opposed the Amendment. He did not believe it would lead to savage sentences, nor did he think it would lead to persons being kept in confinement for an undue period. On the contrary, he thought for the Court to sentence a man to three years penal servitude and afterwards to the less severe form of punishment and detention would lead to a reduction of the sentences which were now sometimes too heavy, while on the other hand, he was certain that the new method ought to be tried, first of all, only on criminals who had deserved and received specific punishment for a specific crime, and only when the punishment they had received in the form of penal servitude indicated, as it would do in most cases, that the persons were so far habitual criminals who, in the interests of society and their own good, should be sentenced to this secondary detention. The mover had not alluded to that and to the restrictions contained in the Bill, such as the sanction of the Public Prosecutor and the facilities for criminal appeal, but he was sure the House would bear those in mind.

Mr. ATHERLEY-JONES said he had on the Paper an Amendment almost identical with that of the hon. and learned Member for Bethnal Green, and he hoped that the Home Secretary would entertain the proposal. He thought his hon. friend who last spoke was under a misconception. It was not a condition precedent to passing this punishment that men should have suffered from penal servitude. The condition precedent was, that that man should have been three times previously convicted of a certain class of offence, which might, it was true, have been punished by penal servitude, but might, on the other hand, have been punished by a very trivial measure of imprisonment. He was perfectly sure the right hon. Gentleman had an open mind on this question, and he was going to appeal to him by means of a concrete case which everybody who had to do with the administration of justice knew to be extremely frequent in its type in this country. He meant the frequent appearance before a tribunal, on an indictment, of persons who had been convicted of the trivial offences—using the words in a comparative sense—of larceny or false pretences, or of embezzlement or of some cognate offence, and who had been sentenced to three months imprisonment, six months imprisonment, eight months imprisonment continuously. He meant cases in which, if they went back through a long period of years, they would find these unhappy people brought before the tribunals. One would never dream, unless it was in some very exceptional case, of sending these persons to penal servitude, and one kept on giving them short sentences. They gave them a short sentence. He did not quarrel with that view. Personally, he thought sometimes it would be possibly better for their own sakes, as well as for other people, if they were sent to penal servitude. But then came this benevolent Bill, which said in effect that they should reclaim such an individual and sentence him to a period of detention, and that an entirely new reclamatory method should be adopted to bring him back as a proper member of civil society. When they came to examine the Bill they found, however, that as a condition precedent to this reclamatory process the man was to be sentenced to a term of penal servitude of not less than three years. The Home Secretary seemed to think that this was necessary to settle the man's mind and bring him to a proper condition for the reclamatory process. But, unfortunately for the Home Secretary, the Bill introduced quite a different method. It introduced the Borstal system which had no such condition precedent necessitating a man's serving a term of three years penal servitude. The right hon. Gentleman might retort that the Borstal system was not for old offenders; that it was only for tainted persons, and not for those who were steeped in crime. But why should the right hon. Gentleman allow this obstacle of three years penal servitude to lie between the Judge and the unhappy prisoner? He himself might wish to send a man to school and give him an opportunity of being reclaimed. If it were not for this new Act—for he supposed it would be a new Act—he would give a man six months' imprisonment, and there would be an end of it; but now he would want to reclaim him and give him the benefit of this new treatment. But he should hesitate, and he thought many other humane men would hesitate, before accepting the condition precedent of sending a man to penal servitude for three years. Let there be a term of imprisonment, twelve months, six months, or it might be only one month, and then let them try the new method. He really thought the right hon. Gentleman was defeating the object of this Bill by insisting on this term of penal servitude.

MR. GLADSTONE expressed his gratification at the fact that the beneficent side of this measure was now becoming apparent, and he recognised in the Amendment and the speeches in support of it a desire to extend the good effects of this method to another class. The class they proposed to deal with was another class than that to which his hon. and learned friend referred. The class the hon. Gentleman had in his mind was that with which they were all familiar which came up on indictment time after time for offences for which terms of three, six, or eight months imprisonment were imposed, small offenders. That was a class with which he was anxious to deal. It was a large class and numbered at this moment some 60,000 persons, who were wandering about the roads and cities in a state of semi-vagrancy and crime, sometimes stealing, sometimes begging, but never leading an honest life. In this Bill they proposed to deal with a class which might number as many as 5,000, and it was proposed to build an extra prison which would accommodate something like 500. The whole of that prison would be required for the class of person they desired to deal with. If the class his hon. and learned friend had in mind was admitted they would have to recast the Bill altogether. The difference between penal servitude, imprisonment, and preventive detention must be maintained. If he acted on his hon. and learned friend's proposal the old criminal who made some pathetic appeal to the Judge might be sent red-hot from crime to the society of persons in preventive detention. Preventive detention did not represent the punishment for the particular offence with which a man was charged. The man on whom it was imposed would have an accumulation of previous convictions, and it was not desirable to deal with him in respect of his particular last offence. If the Amendment were adopted and a Judge used the power of sending a man straight to preventive detention, the effect would be that instead of adapting Camp Hill to this special purpose he had spoken of, the discipline and treatment there would have to be levelled up to that of ordinary prisons. His idea of that place was that there should be less rigour than in an ordinary prison, and that the prisoners should be encouraged by the knowledge that they could get out on reasonable guarantees?

AN HON. MEMBER: What sort of guarantees?

MR. GLADSTONE said his hon. friend knew that guarantees either by word of mouth or in writing could not be said to be worth very much. They had to judge of a prisoner by his conduct, whether he honestly tried to learn some branch of work while he was in prison, how he conducted himself, and how he was prepared for a fresh career. That would be in the nature of a guarantee, but a guarantee, either oral or written, he confessed would not have any very great weight. He would further ask the House to consider the inequalities which would be set up if this Amendment were passed. His hon. friend must remember that there would be hundreds of men indicted and sent to penal servitude who would not be proceeded against as habitual criminals.

Take the case of a full-blooded young man who committed some atrocious crime, and was sentenced to ten years penal servitude. He did not say that the sentence would be unjust, still the young man might not be an ordinary criminal, but one who had committed some atrocious offence in a moment of sudden impulse. In such a case it could not be said, perhaps, that he was a thoroughly bad man, but he would be sent to prison for the full ten years. Then there was the detestable man who had been convicted over and over again of the meanest and worst offences, and who came to be indicted for some act of felony; he made a piteous appeal to the Judge, who, not seeing the distinction which was being made between the two cases, sent him to ten years penal detention. This man, who had lived a villainous life, who had preyed on society, who perhaps had not the slightest wish of his own motion and initiative to reform himself, would come under comparatively mild treatment, totally unsuited to his case; while the other man who had committed one awful offence was—quite properly—undergoing the tremendous punishment of ten years penal servitude. If they adopted this Amendment he undertook to say that they would get serious irregularities and inequalities in the dispensation of justice. Of course, when a Judge had a prisoner before him who was indicted for a particular offence, and was also charged with being an habitual criminal, first of all the accused would be convicted of the particular offence, and then the charge against him on the ground of his being a habitual criminal would be heard. If the jury convicted him on that charge as well, then the Judge would have to proceed to sentence him in regard to the particular offence which he had committed. Of course, the Judge would take the two kinds of detention into consideration. He would know that he must sentence the man to no less than three years penal servitude, and could sentence him to ten years detention or not less than five. But he would consider the case of the man in regard to the nature of the offence and so forth, and then he would proceed to sentence him to so many years penal servitude and so many years detention. His hon. friend the Member for Durham had said that his speech on the Second Reading was inconsistent with the Bill. He did not agree. What he had said was that long sentences of penal servitude were often cruel, but he had not said that of all sentences of penal servitude. As a matter of fact, he thought that hon. Gentlemen should know that the present system under penal servitude was not what it was ten years ago. It was much more humane. Perhaps they did not know to what extent the rigour of penal servitude had been altered, though he admitted it was bad enough still. This Bill was supposed to modify that system still further by this proposal of penal detention, which would enable the Judge to give a much shorter term of penal servitude. He did not hesitate to say that the general effect of the Bill if it passed into law would be greatly to shorten the average sentence of penal servitude.

MR. ATHERLEY-JONES: Why?

MR. GLADSTONE said he had just stated the reason, namely, that there was this penal detention, which, being of a very different kind, would, whenever it occurred, lead the Judges to shorten the terms of penal servitude which they would otherwise give. Of course, he was not entitled to speak in any way for the Judges, but he believed it was a well-known fact that a great many Judges had during the past few years refrained from imposing these long sentences of penal servitude, for the simple reason that they believed that it was too drastic a punishment to which to subject men for long terms. He, therefore, adhered to the opinion which he expressed on the Second Reading of the Bill. He would only remind the House that three of our Colonies, certainly two of them, had got Acts providing for something like indeterminate detention, and that in those cases they found it necessary to have a preliminary period of punishment by imprisonment. He could only say that this matter had been most carefully considered, and it was quite impossible for him to give way. If they were forced to give way on this point of a period of preliminary punishment, he was bound to say that it would be necessary to withdraw this part of the Bill.

MR. RAWLINSON (Cambridge University) said he must appeal to the Government to reconsider this Amendment, which, as he understood it, really covered the next Amendment as well, and his hon. and learned friend would probably be equally content if the Amendment of his hon. and learned friend the Member for Durham was accepted. The text of the Bill in regard to penal detention made it a condition precedent that the man should be sentenced to three years penal servitude. Having regard to the interests of the Bill itself, he submitted to the right hon. Gentleman that this was a most unwise proposition. From the account they had heard it was very difficult to follow what the object of Part II. of the Bill was, but they learned now that the idea of the Government was that there should be a particular prison accommodating some 500 prisoners, where there should be a certain kind of treatment for the purpose of reclaiming the offenders. That was the general idea. The treatment was to be less severe than that of penal servitude, and the idea was to enable a man to have a fresh start in life. What class of prisoner was likely to get the benefit of this treatment? The Bill as drawn was far wider than the right hon. Gentleman thought. It not only dealt with habitual and dangerous and violent criminals, but it dealt also with people who were simply engaged in petty larceny. If, as the right hon. Gentleman said, in view of penal detention the Judges passed shorter sentences of penal servitude, then he submitted that it would be an undesirable result of the Bill. The criminal who committed violence ought to go to prison for a long time, but the class of persons who would be sent to this penal detention he imagined would be the class who did not use violence, and who had not been guilty of the very serious crime indicated by the right hon. Gentleman. It would be the class of offenders that habitually committed small crimes who would be sent to penal detention. Perhaps they might have the case of a young man of twenty-two or twenty-three, who had five previous convictions of false pretences of a determined character since he was of the age of sixteen. He had been through the Borstal system twice, and there were four offences against him. That type of young man who wrote letters suggesting that he should go back to the Borstal system might well be dealt with under this Bill. But before that could be done, although he was only twenty-one or twenty-two, he would have to be sent to penal servitude to start with, thus doing away with all the good they hoped to do. If they wanted to deal with that class, the obvious thing was to pass a short, sharp, deterrent sentence, and then send them to these houses of detention for whatever term the Judge thought fit. The Home Secretary was stopping practically the most useful part of his Bill if he did not leave it to the discretion of the Judge whether the offender should be sent to prison or to penal servitude. Probably the House did not realise how the rigour of penal servitude had been remitted during the past few years. In many cases, though worse from the point of view of length of time, it was nothing like so severe as the sentence of eighteen months or two years. One of the hardest sentences that could be passed was two years hard labour. Such a sentence one hoped never to be passed, though it was sometimes passed. Could anything be worse in the case of a prisoner of that kind than to sentence him to the semi-mitigated treatment of penal servitude for the first three years and then the more mitigated treatment of the labour colonies for ten years afterwards. For the sake of the Bill itself, discretion ought to be given so that the Court should not in every case have to pass this three years penal servitude, which in a large number of cases would be a very mistaken sentence even when they wished to punish the man effectively before sentencing him to preventive detention afterwards. The safest thing for those in favour of the Bill would be to allow the fullest discretion to the Judge.

*MR. BYLES (Salford, N.) said that in spite of the very copious exposition of the Government position on the point raised by the Amendment he was unconvinced, and he would appeal once more to his right hon. friend whether he did not feel now that a considerable body of opinion in the House desired a modification of the clause. He could not see why, if they determined to take a man and alter his life and try to turn him out an honest man, they should not begin the job at once instead of degrading him by another three years penal servitude. He did not believe they could ever send a man to prison and turn him out as good a man as he went in, though they might make him worse. Prince Krapotkin, who had wide prison experience, a writer for whom he had great respect, called prisons universities of crime. It was because he held those views that he had been very desirous to support the Bill, contrary to the opinion of many friends with whom he associated. The right hon. Gentleman had given hypothetical instances of two men who had been sentenced to penal servitude. The first was a young man who perhaps committed his crime upon impulse and was sentenced to ten years. The other was an old and arch-offender who had been up time after time and served many terms. He should say the young man would be like the old one if they kept sending him to penal servitude. They created these habitual offenders by successive periods of penal servitude. Probably the first crime was committed on impulse. It was a mere accident that many honest men in the world had never once committed a crime. Having once committed a crime and served a term in prison they were ten times more likely to commit another. He hoped the question would be approached with a feeling of real sympathy for these criminals. They had very often a great deal of good in their nature. He held that there were many worse men out of prison than some of those who were in. The object was to bring these men back to be good and useful members of society. He urged the right hon. Gentleman not to insist upon giving one more long period of three years penal servitude to the man they were going to try to reform.

Mr. CURRAN (Durham, Jarrow) in supporting the Amendment said he was sure the authors of the Bill were strongly desirous of making it effective in the direction of preventing crime. He did not think penal servitude tended to reform criminals, but to harden them and make it more impossible to bring them back to decent behaviour. He felt, therefore, that the Borstal system should be applied in a great many cases where penal servitude was applied to-day, and the more penal servitude was minimised and the Borstal system adopted, the sooner they would get to a better method of dealing with crime. An official of Portland prison had informed him that the five, ten, or fifteen years convict when he was released was given a railway ticket to the place where he was arrested, and not infrequently he shook hands with the official who bought his ticket and said he would soon see him again. That proved that long terms of penal servitude tended to degrade men to the extent that they became hardened, and when they came out of prison they intended to follow the same profession. The Home Secretary had made a strong point of the people who were tramping the country—the wayward tramp who committed petty larcenies. He hoped the right hon. Gentleman took into serious consideration the conditions that created that class of petty criminals. There were many men now who being thrown out of employment were tramping from place to place. Even respectable men of that class were liable to fall into the crime of petty larceny and might be convicted once or twice. They were the victims of their environment and the creation of industrial conditions, and to allow any Judge the privilege of sending them to penal servitude would have a tendency to increase and not to minimise crime. He hoped the Home Secretary would, by the adoption of some such Amendment as this, make the present system of punishment more humane, because in spite of all alterations and improvements it was still harsh, degrading, and brutalising. He hoped the Amendment under these circumstances would be adopted, so that the Bill would be made in the true sense of the term a Bill for the prevention of crime.

*Sir W. J. COLLINS (St. Pancras, W.) said he gratefully recognised that the Home Secretary had abandoned the indeterminate sentence by the Amendments he had placed on the Paper. The question they had now to consider was whether there should be a discretion with the Judge or Chairman of Quarter Sessions to administer that preventive detention or penal servitude or only the preventive detention after the term of penal servitude had been served. He hoped the Home Secretary would make a concession in that direction. If the right hon. Gentleman would refer to the Report of the Committee of 1894, over which he presided, he would find they recommended that preventive detention in lieu of penal servitude was contemplated, and he would, therefore, by accepting the Amendment, be bringing this Bill into accord with that Report. That Committee recommended a new form of sentence for long periods of detention during which the prisoners would not be treated with the severity of first-class hard labour or penal servitude, and the authors of the Report he had alluded to suggested an alternative system by way of preventive detention. There was a precedent in the case of the Inebriates Act, which provided that—

> "The Court may in addition to or in substitution for any other sentence order that the prisoner be detained for a term of years."

The right hon. Gentleman said that in two of the Colonies they found the precedent of penal servitude first, with preventive detention afterwards. In America, however, there was no such precedent. By the courtesy of the American Ambassador he had been allowed to look up the practice in the States of America, and he had concluded that if the Amendment giving a minimum and maximum sentence and letting out the prisoner on parole at some period after the minimum sentence had been completed were adopted they would be establishing very much the same system as they had in America. From information he had gathered, he understood it was erroneous to say that the Elmira system had penal servitude in the first instance and a period of detention afterwards. The American precedent did not favour the principle laid down in this Bill. He could find no report in favour of this preventive detention following a period of penal servitude, except in some of the papers of the Chairman of the Prisons Commission. In no independent Report of any Commission or Committee had that been recommended. He hoped the Home Secretary would be guided by his own Committee and not by any bureaucratic recommendation. He hoped the Judge and the Chairman of Quarter Sessions would be given discretionary power to adopt penal servitude or preventive detention, or so much of the one or the other as they might think suitable in each particular case.

SIR F. BANBURY said he could not understand the action of the hon. Member who had brought forward this Amendment in view of the fact that they were opposed to Part II. of the Bill. That had now been modified by the alteration which the Home Secretary intended to move limiting the period of detention to ten years. Even with that modification he could not understand why hon. Members who, a few nights ago, were utterly opposed to this detention period should now turn round and require that operation to be enlarged. If the Amendment were carried, any person previously convicted on indictment three times would be liable to be sent to detention under this clause. He was going to support the Home Secretary, whose speech seemed to him to be the only logical one he had heard on the point. The right hon. Gentleman had chosen what was practically an experiment. They did not intend to apply the Borstal system to old offenders, and that was the answer to the argument used by the hon. Member below the gangway, who wished to do away with all punishment for crime and substitute the Borstal system, which was only meant to apply to youthful offenders who had committed one or two offences. Before any prisoner could be subjected to this treatment he must have been convicted not only for three previous crimes, but also for the fourth crime, and he must be sentenced to a term of penal servitude. If, five or six years hence, they found that this experiment had been successful, that would be the time to come forward and move this Amendment. They were being asked to alter the whole criminal law and punishments and substitute something which was at present both novel and new, which might be successful, but which no person had any reason to suppose would be successful or would fail. The hon. Member for Salford said that penal servitude was a degradation, but he did not think it was. As a matter of fact, it was the crime which was the degradation, and not the punishment. The result of all this would be that instead of inflicting a severe penalty upon a man who deserved it, they would be trying by a side issue to get for the habitual criminal, not the proper punishment and a period of detention afterwards, but a new form of punishment which, as far as one could tell, was not likely to have a deterrent result if given without any other form of punishment. He would have very much pleasure in supporting the Home Secretary, and he should support him in the division lobby against his own friends.

Mr. DILLON (Mayo, E.) said he was strongly in favour of the Amendment, although by the right hon. Gentleman's concession he had been converted from a very firm opponent into a very strong supporter of the Bill. It seemed to him that the Judge ought to have discretion, having heard all the evidence as to the character of the person he was dealing with, to send him to some term of imprisonment before sending him to preventive detention and a determinate period. He did not wish to be unreasonable, and he recognised the Bill as one which deserved the warm support of everyone interested in the improvement of the prisons of the country. It had been pointed out that this clause was intended to deal with criminals of a very atrocious character, and assaults on young children were alluded to. His view was that people who committed such offences, or at any rate who committed such an offence twice, ought to be locked up for the rest of their lives. There had been no answer given to the statement of the hon. Member for Durham that the clause as it stood applied to a totally different class of offenders, namely, those who were habitual criminals of a very dangerous character. The whole burden of the speech of the hon. Member for Dorsetshire dealt with questions of larceny and small thefts, but anyone who had studied the administration of the criminal law must be aware that offences against poverty were dealt with in far too harsh a spirit, and the criminal law was much too mild in regard to atrocious offences. For offences against property sentences were perfectly scandalous, and people were frequently sent to long periods of penal servitude for small thefts and robberies. He knew of one case where a poor old woman had spent twenty years in prison for repeated offences for small larcenies, and on one occasion for a small offence she was sent to seven years penal servitude. Afterwards, the Judge was so horrified by his own severity that he reduced the sentence to six years. Looking to all the circumstances, he thought a Judge should have power to send a person direct for preventive treatment if he was convinced that it was desirable that the prisoner should be for a long period locked up and at the same time should not be subjected to penal servitude. The Home Secretary had drawn a dreadful picture of the injury which would be done to his new prison—and he quite sympathised with his view—as to what would be the result of sending a shocking criminal, red-hot from crime, into a body of men who were to some extent well advanced on the path of reform. He thought that ought to be a matter left to the discretion of the Judge, and any Judge who was such a fool as to commit to these new institutions a man whose whole life had been a series of revolting offences ought not to be allowed to sit on the bench. A prisoner whose life had been one rather of misfortune than of serious and wicked crime, never got the chance at all. An hon. Member had described the case of a prisoner who, on leaving Dartmoor, shook hands with the warder and said "I hope we shall soon meet again." A vast body of habitual criminals never got a chance at all, because no decent people would associate with them, they could not get any employment, they were pursued and watched by the police, and they soon sank hopelessly back into their old haunts simply and solely because they could not do otherwise. That was the class of person who might reasonably be sent straight to the detention prison. He did not wish to embarrass the right hon. Gentleman. On the contrary he wished to suggest a compromise, namely, that for three years penal servitude he should substitute six months imprisonment. He thought the provision as to three years penal servitude would prevent many Judges from attempting to use this new system perhaps in cases in which it might do the greatest amount of good.

Question put.

The House divided :—Ayes, 164; Noes, 95. (Division List No. 433.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Allen, Charles P. (Stroud)
Armitage, R.
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Baring, Godfrey (Isle of Wight)
Barker, Sir John
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn,Sir J.Williams(Devonp'rt
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Branch, James
Brooke, Stopford
Brunner,J.F. L.(Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
BuxtonRt.Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Cecil, Evelyn (Aston Manor)
Chance, Frederick William
Clough, William
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Corbett,CH (Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crosfield, A. H.
Cross, Alexander
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dixon-Hartland,SirFred Dixon
Dobson, Thomas W.
Douglas, Rt. Hon. A. Akers-
Dunn, A. Edward (Camborne)
Edwards, Sir Francis (Radnor)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Gladstone,Rt Hn.Herbert John
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gurdon,RtHn.Sir W. Brampton
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Harvey,W.E. (Derbyshire,N.E.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hedges, A. Paget
Henderson,J.M. (Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Holland, Sir William Henry
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennaway,Rt. Hn. Sir John H.
Kerry, Earl of
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lloyd-George, Rt. Hon. David
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Mildmay, Francis Bingham
Mond, A.
Money, L. G. Chiozza
Montague, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls,George
Norton, Capt. Cecil William
Nussey, Thomas Willans
Paul, Herbert
Paulton, James Mellor
Pearson,W. H. M. (Suffolk, Eye
Pease,Herbert Pike(Darlington
Pretyman, Ernest George
Price,C.E. (Edinb'gh,Central)
Rea, Russell (Gloucester)
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Russell, Rt. Hon. T. W.
Salter, Arthur Clavell
Samuel,Rt.Hn.H.L. (Cleveland
Schwann,Sir C. E.(Manchester)
Seaverns, J. H.
Seely,Colonel
Shaw, Rt. Hon. T. (Ha'w'k,B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanger, H. Y.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Talbot, Lord E. (Chichester)
Tennant,Sir Edward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas,Sir A. (Glamorgan, E.)
Thorne, G. R. (Wolverhampton
Toulmin, George
Trevelyan, Charles Philips
Valentia, Viscount
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward,W.Dudley(Southampton
Waring, Walter
Wason,Rt.Hn.E.(Clackmannan
Wason, John Cathcart(Orkney)
Whitbread, Howard
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Sir Luke (York, E.R.)
Whitehead, Rowland
Whitley,John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, Col. R. (Dorset, W.)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wortley, Rt. Hn. C. B. Stuart-
Younger, George.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Abraham, William (Cork, N.E.)
Atherley-Jones, L.
Balcarres, Lord
Barrie, H. T. (Londonderry,N.)
Bethell,Sir J.H.(Essex,Romf'rd
Boland, John
Bowerman, C. W.
Bowles, G. Stewart
Butcher, Samuel Henry

Byles, William Pollard
Campbell, Rt. Hon. J. H. M.
Carson, Rt. Hon. Sir Edw. H.
Cecil, Lord R. (Marylebone, E.)
Cleland, J. W.
Collins,(SirWm.J.S.Pancras,W.
Condon, Thomas Joseph
Courthope, G. Loyd
Crean, Eugene
Crooks, William
Delany, William
Dickinson,W. H.(St.Pancras,N.
Dillon, John
Duncan, C. (Barrow-in-Furness
Duncan,Robert (Lanark,Govan
Ellis, Rt. Hon. John Edward
Fell, Arthur
Ffrench, Peter
Field, William
Fletcher, J. S.
Flynn, James Christopher
Forster, Henry William
Glover, Thomas
Gooch,Henry Cubitt(Peckham)
Guinness, W. E.(Bury S.Edm.)
Gwynn, Stephen Lucius
Halpin, J.
Harris, Frederick Leverton
Haslam, Lewis (Monmouth)
Hay, Hon. Claude George
Hayden, John Patrick
Hodge, John
Horniman, Emslie John
Houston, Robert Paterson
Jenkins, J.
Jowett, F. W.
Kavanagh, Walter M.
Kennedy, Vincent Paul
Kilbride, Denis
Kimber, Sir Henry
Lardner, James Carrige Rushe
Lea, Hugh Cecil (St.Pancras,E.
Lockwood,Rt.Hn. Lt.-Col.A.R.
Lundon, W.
Lupton, Arnold
MacCaw, William J. MacGeagh
Macdonald, J. R. (Lecester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
MacNeill, John Gordon Swift
MacVeagh,Jeremiah(Down,S.)
MacVeigh,Charles(Donegal,E.)
M'Kean, John
Magnus, Sir Philip
Meagher, Michael
Meysey-Thompson, E. C.
Morrison-Bell, Captain
Murphy, John (Kerry, East)
Nannetti, Joseph P.
Nugent, Sir Walter Richard
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Shaughnessy, P. J.
Ponsonby, Arthur A. W. H.
Powell, Sir Francis Sharp
Power, Patrick Joseph
Radford, G. H.
Rawlinson,John Frederick Peel
Reddy, M.
Redmond, William (Clare)
Renton, Leslie
Richards, T. F. (Wolverh'mpt'n
Roch, Walter F. (Pembroke)
Roche, John (Galway, East)
Rowlands, J.
Rutherford, V. H. (Brentford)
Stanley,Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Sutherland, J. E.
Taylor, John W. (Durham)
Thornton, Percy M.
Ward, John (Stoke-upon-Trent
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Pickersgill and Mr. Curran.

MR. LUPTON moved to omit the word "further" from the provision that the Court "may pass a further sentence ordering that, on the determination of the sentence of penal servitude, he be detained etc." He said that this was one of a series of Amendments to enable the Court, having sentenced a man to three years penal servitude, and having come to the conclusion that he was an habitual offender, to commute the sentence to one of detention for a period not exceeding ten years. The Amendment got over one of the objections which the Home Secretary had to the previous Amendment, namely, that by inserting the word "imprisonment" they would add a great many more than he proposed to make room for to the cases where the offenders might be detained. If the right hon. Gentleman accepted this Amendment, that objection would not arise, because it would only be men who had been sentenced to three years penal servitude who would be sent to a place of detention. The only difference between the Home Secretary and himself was as to the expediency of sending a criminal red-handed to a place of detention. The place of detention was not described in the Bill, and they could only imagine what sort of place the right hon. Gentleman intended. But if the place was to accommodate 500 or 600 people, it would have various wards, and some of these might be wards to which the red-handed prisoner might be sent for one, two, or three months before he was put under the curative process. The right hon. Gentleman was aware that the system of penal servitude had failed; he said in his speech the other night that 80 per cent. of those in the prisons had been there before. Why had it failed? None of the habitual offenders were men of great ability, or they would commit their robberies in a cleverer way, and they would be living in fine houses and driving in carriages. They were men of weak minds, and the present system of punishment weakened their minds still more. He thought the right hon. Gentleman was singularly unfortunate in advising that there should be, first of all, three years of the weakening process under a system where the prisoner was treated as a slave and had no initiative of his own. They were, first of all, going to make the man worse before they began to reform him. Why insist that the man they were going to cure should suffer the horrible sentence of penal servitude before they began to cure him? The right hon. Gentleman said that these prisoners who had been sentenced to punitive penal servitude were also to be sentenced to preventive detention, but that meant that they were going to make the prisoners worse and more dangerous burglars instead of doing anything to reform or improve them. He hoped the Amendment would meet the difficulty he had put. The prisoners when tried and convicted by the jury would be sentenced by the Judge to three years penal servitude, which penal servitude would be commuted in the case of an habitual criminal to preventive detention. There would then be some chance of curing him, which there would not be if he was first sentenced to the three years torture of ordinary penal servitude. He begged to move.

MR. CLAUDE HAY (Shoreditch, Hoxton) seconded.

Amendment proposed—

"In page 5, line 13, to leave out the word 'further.'"—(*Mr. Lupton.*)

Question proposed, "That the word further stand part of the Bill."

MR. GLADSTONE thought the Amendment would make the proceeding purely nonsensical, and he could not accept it.

Amendment negatived.

MR. GLADSTONE said the Amendment he now moved was one of which he had given notice and had already explained to the House.

Amendment proposed—

"In page 5, line 15, to leave out the words 'during His Majesty's pleasure,' and to insert the words 'for such period not exceeding ten nor less than five years, as the Court may determine.'"—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. RENTON (Lincolnshire, Gainsborough) moved to substitute the word "penal" for the word "pre-ventive in Clause 9." He thought that "preventive detention" was somewhat vague and would not be understood by the outside public. After all, an unfortunate person who was enduring this sentence was to be considered a felon by this clause, and he was, by another clause, directed also to be considered as a convict. For these reasons he thought it would better and much clearer to substitute "penal" for "preventive."

MR. ADKINS said that although preventive detention only meant to prevent persons from committing crime, he was anxious that persons under preventive sentence should have treatment which would have a fairly remedial effect. He wanted a sharp, even acute distinction drawn between the treatment of old habitual offenders and the treatment of those who for preventive reasons were subjected to a treatment which was predominantly remedial.

Amendment proposed—

"In page 5, line 16, to leave out the word 'preventive,' and insert the word 'penal.'" —(*Mr. Renton.*)

Question proposed, That the word 'preventive' stand part of the Bill."

MR. GLADSTONE said that it was a mere matter of opinion as to whether the word "penal" or "preventive" was the more accurate word to use in the clause. He, however, would consider whether they could not invent a word which would meet the views of his hon. friend the Member for Middleton.

SIR E. CARSON (Dublin University) said that he himself could not see how they were to distinguish between "penal servitude" and "preventive detention." He thought it would be exceedingly inconvenient to have a term which looked like "penal servitude" which latter conveyed a certain sinister meaning in the minds of some people. But on the whole he himself liked "preventive" instead of "penal.'

MR. RENTON asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. LUPTON said that according to the Home Secretary they were to have reform prisons where the prisoners would have better treatment than in the ordinary prisons; but there were no words in the Bill which carried out that idea. The Amendment which he was about to propose would carry out the idea that the prisoners under preventive detention were going to be kindly treated: at any rate, less severely treated than other offenders. Perhaps he had not drafted his Amendment in the best way, but the right hon. Gentleman might propose some better addition to the Bill which would carry out what he himself wanted. He desired to insert the words, 'A person sentenced to preventive detention shall, subject only to the needs of safe custody, be treated rather as a person in a lunatic asylum than as a person undergoing a sentence of penal servitude, and shall be allowed reasonable comforts and relaxations.'"

SIR E. CARSON asked if this Amendment ought not to come under Clause 11, which dealt with the treatment of prisoners who were to be detained.

*MR. SPEAKER said he was much obliged to the right hon. and learned Gentleman. He thought the hon. Gentleman ought to raise his Amendment on Clause 11.

MR. GLADSTONE moved to amend the definition of an habitual offender in the clause as a person who had at least three times been convicted of a crime by inserting "since attaining the age of sixteen years." He said the hon. Member for Peterborough had two Amendments on the Paper with precisely the same object, but he thought his would be a better form of drafting.

Amendment proposed—

"In page 5, line 24, after the word 'has,' to insert the words 'since attaining the age of sixteen years.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."

MR. G. GREENWOOD (Peterborough) was very much obliged to the right hon. Gentleman for accepting this Amendment and agreed that the drafting would be better.

Amendment agreed to.

Mr. Lupton.

Amendments proposed—

"In page 5, line 25, to leave out the words 'above referred to,' and to insert the words 'of the crime charged in the said indictment.'"

"In page 5, line 26, to leave out the word 'such,' and to insert the words 'any such previous.'"

"In page 5, lines 27 and 28, to leave out the words 'for which he was so sentenced,' and to insert the words 'of which he is so charged.'"

"In page 6, line 10, after the word 'charge,' to insert the words 'and the notice to the offender shall specify the previous convictions and the other grounds upon which it is intended to found the charge.'"

"In page 6, line 22, after the word 'regard,' to insert the words 'to the circumstances of the case and in particular.'"—(*Mr. Gladstone.*)

Amendments agreed to.

*MR. LUPTON moved an Amendment to Clause 11, providing that a person sentenced to preventive detention should, subject only to the needs of safe custody, be treated rather as a person in a lunatic asylum than as a person undergoing a sentence of penal servitude, and should be allowed reasonable comforts and relaxation. By this Amendment he made sure that the imprisonment should be of such a kind as was recommended to the House by the Home Secretary, as he could not reconcile it with his conscience to pass a law which said one thing, and they were told meant something else. They were told that the preventive detention was not penal servitude or penal detention, and he proposed this Amendment to make that clear. He wanted to prevent a man from running about the country doing all sorts of improper things, and therefore thought he should be prevented from getting outside the establishment, but he should not be tortured as well as being subjected to confinement. He should be enabled to live a life of some degree of kindness although, of course, he would have to work. Let him have his newspaper and pipe and be treated like a human being, and in time he might recover some degree of respect and regard for society which was now for the first time treating him well and in a Christian spirit. He was exceedingly anxious that all the humane expressions of the right hon. Gentleman should be fixed in the Bill in some way, and therefore he brought forward this Amendment.

SIR E. CARSON inquired how a man was to be treated "rather as a person in a lunatic asylum."

MR. LUPTON said he would be treated, according to the words of the Amendment, with due regard to safe custody and subject only to those needs. He would be treated as a person capable of breaking bounds, but not subjected to the severities of prison life. He begged to move.

*MR. RENTON (Lincolnshire, Gainsborough), in seconding the Amendment, said they wanted some of the principles which the Home Secretary had enumerated to be embodied in the Bill. They had not had the slightest information as to what preventive detention really meant except that it was not penal detention. He should like to know what would pass in the establishment at Camp Hill and in what respect the regulations would differ from those of a prison.

Amendment proposed—

"In page 6, line 24, at the end, to insert, as a new subsection, the words 'A person sentenced to preventive detention shall, subject only to the needs of safe custody, be treated rather as a person in a lunatic asylum than as a person undergoing a sentence of penal servitude, and shall be allowed reasonable comforts and relaxations.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE was understood to say that he also desired to know how a man was to be treated "rather as a person in a lunatic asylum."

MR. LUPTON said he would be treated rather as a person in a lunatic asylum than as one undergoing a sentence of penal servitude.

MR. GLADSTONE said perhaps the right hon. and learned Gentleman opposite would tell him what in his judgment would be the legal interpretation of the words.

SIR E. CARSON said he could not supply it.

MR. GLADSTONE pointed out that the hon. Member had quite ignored the Amendment which he had on the Paper, to the effect that these persons should be subjected to such disciplinary and reformative influences, and be employed on such work as might be best fitted to make them able and willing to earn an honest livelihood on discharge. That would really reply to him, and the hon. Gentleman opposite. He described the various steps which would be taken on the Second Reading of the Bill, and in Committee, and the kind of place the new detention house at Camp Hill was likely to be, and he could not be expected on Report to go over the same ground. A man would be put in a certain class and he would be set to work which would enable him to earn successive privileges, and a livelihood on his discharge. It was a curious fact that under the present system very few men who became competent workmen at particular crafts continued them when they left prison. But still he was not disheartened by that, as he thought men might be trained in manual work, so that habits of industry might be engendered. The men would be supplied with newspapers, and they would be less and less subjected to anything approaching prison discipline; but, of course, he must safeguard these provisions, as in this prison there would be some hundreds of the most desperate criminals in the country, and the greatest care would have to be taken.

Amendment negatived.

SIR W. J. COLLINS moved to omit the words "any prison or part of a prison," and insert "a place," and said he wished to make it clear in name as well as in fact that the place in which the preventive detention would be given would be not a prison or a part of a prison. He had a series of consequential Amendments on the Paper to carry out what the right hon. Gentleman said, and make it clear that the treatment would be totally different from that in prisons. In a prison or part of a prison there was the danger of the spirit in one part of the place pervading the others. The State Reformatory at Aylesbury was next to the convict prison, and this danger had been found to exist. The object of the clause was to establish a totally different line of treatment in this preventive establishment, and therefore he wished to distinguish it from a prison. He asked the right hon. Gentleman to indicate his intention that the detention should take place at a different place from a prison.

Mr. RAWLINSON seconded the Amendment so far as he understood the right hon. Gentleman meant that this place should not be a prison in reality, but a place more in the nature of a labour colony which might be self-supporting as far as possible. That was to say that such work as farm work might be done on the premises and made remunerative as far as possible, and that those detained should not be put to the more or less useless labour that was done in penal servitude.

Amendment proposed—

"In page 6, line 26, to leave out the words 'any prison or part of a prison,' and to insert the words 'a place.'"—(*Sir W. J. Collins.*)

Question proposed, "That the words 'any prison' stand part of the Bill."

Mr. GLADSTONE said he had considered this matter in the drafting of the Bill, but the word "prison" had gone into the Bill, and he submitted that there could be no objection to these words because, after all, prison rules would apply. He had pointed out that it would be a prison in the sense that it must be a place fit to keep in safe custody those who were dangerous. There was no getting away from the fact. On the whole he saw no objection to the word "prison," while on the other hand there might be some inconvenience in adopting another phrase, like "place of detention," which had already been identified in the Children Bill lately passed.

Amendment negatived.

Mr. PICKERSGILL moved to leave out the words "or any part of a prison." He submitted that the Amendment could hardly be resisted because the right hon. Gentleman had spoken of a place of detention for these people being erected on a special site, of a special building and complete separation. It seemed undesirable that persons who were under ordinary penal servitude or imprisonment should be in the same place as these people who were undergoing this system of detention. The two systems should be distinct from each other, and it was therefore desirable that they should be carried on in separate buildings.

Mr. LUPTON formally seconded the Amendment.

Amendment proposed—

"In page 6, line 26, to leave out the words 'or part of a prison.'"—(*Mr. Pickersgill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. GLADSTONE quite sympathised with the desire of his hon. friend. It was the intention to keep these habitual prisoners apart from ordinary criminals suffering terms of imprisonment or undergoing terms of penal servitude, but the House would see that provision had to be made for possible difficulties in the future. It was impossible to say how soon this place would fill up. There might at times be some difficulty with regard to accommodation when it might be in the interests of the prisoners themselves that the prisons should be used for temporary purposes rather than that the prisoners should be crowded at Camp Hill. He hoped his hon. friend would not press the Amendment. Of course he would give an assurance that the prisons would only be used for temporary purposes.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 6, line 36, at end, to insert the words '(3) Persons undergoing preventive detention shall be subjected to such disciplinary and reformative influences, and shall be employed on such work as may be best fitted to make them able and willing to earn an honest livelihood on discharge.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. RAWLINSON moved to omit subsection (3) in order to elicit from the right hon. Gentleman his view with regard to the Board of Visitors. Were they a new body, and, if so, what were their duties?

Amendment proposed—

"In page 6, line 37, to leave out subsection (3) of Clause 11."—(*Mr. Rawlinson.*)

Question put, "That the words proposed to be left out, to the word 'with,' in page 6, line 39, stand part of the Bill."

MR. GLADSTONE said that as a matter of fact he was quite prepared to accept this Amendment, because the Board of Visitors was appointed under the present law, and had statutory duties, which duties they would discharge at Camp Hill, but the Government had thought it well to set it forth in the Bill that this Board of Visitors would, in fact, be set up at Camp Hill.

MR. ADKINS earnestly hoped the right hon. Gentleman would not accept the Amendment. They were now setting up a valuable and rather new type of place, not for imprisonment but for the reclamation of criminals, and it was very desirable that the public should know that there was to be a Board of Visitors in regard to it. He hoped the hon. Gentleman opposite would not press the Amendment, as he was quite sure that public confidence would be increased if these words were left in.

*SIR W. J. COLLINS thought the right hon. Gentleman had recognised that it was necessary to have an independent eye to overlook this matter in this Board of Visitors, and in an Amendment lower on the Paper he himself had suggested that not less than three of the Board of Visitors should be elected by the county council of the county in which the place of detention was situated. The House would bear in mind that the tendency of the government of our prisons had been rather in the inverse direction to our general legislation; while the tendency of legislation in regard to prisons was to concentrate their management in the hands of the Government, the tendency of other legislation had been in the direction of devolution and the placing of administration in the hands of the local authorities. He submitted the tendency of concentration had gone too far, and that it would be well if, in this new departure, the Board of Visitors contained some members other than those nominated by the Home Office. He hoped his right hon. friend would not accept the Amendment moved, but on the other hand, when they came to it, accept the Amendment which he himself had lower on the Paper.

MR. RAWLINSON said he left himself entirely in the hands of the Home Secretary, and did not wish to press the Amendment in any way.

Amendment, by leave, withdrawn.

SIR W. J. COLLINS formally moved to previde that not less than three of the Board of Visitors shall be elected by the county council of the county in which the place of detention is situated.

MR. ADKINS in seconding, said that as this was a national institution, therefore perhaps the local authority, according to precedent, would have very little *locus standi*; but considering that this was a new experiment which certainly had awakened exceptional interest, he hoped the Government might see their way to meet the demand for the appointment of some independent local members who would have cognisance of the way in which the institution was administered. He seconded the Amendment in the form in which it was moved. He would very much prefer that the county council themselves should nominate two or three of their members to serve on the committee, but if there were really administrative objections to that, then it would be better than nothing that the Home Office should appoint members of the county council to serve. He hoped the right hon. Gentleman appreciated what had fallen from the hon. Member who moved the Amendment, that there should be an independent element on the Committee of Visitors. It would strengthen public confidence, and would be exceptionally valuable in dealing with a new institution.

Amendment proposed—

"In page 6, line 39, after the word 'peace,' to insert the words 'and not less than three shall be elected by the county council of the county in which the place of detention is situated.' "—(*Sir W. J. Collins.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE said he agreed that there was a good deal to be said for this Amendment, but what would be the result if a member of the county council declined to serve? If the Amendment were to be accepted, and if they said that certain members of the committee "shall" be members of the county council, then something must be put in the Act.

*Sir W. J. COLLINS suggested "may" be.

Mr. GLADSTONE said that whether it was "may" or "shall," he did not think either would very much relieve the situation. It was quite clear that he could not accept the Amendment as it was drawn. This particular prison, of course, was for the service of the whole country, and that the County Council of the Isle of Wight should have a statutory right to nominate two or three members to a comparatively small board of this kind was a proposition which did not commend itself to his judgment as being a right one. He would point out that, as a matter of fact, the existing Board of Visitors appointed in connection with another prison included three or four residents in the Isle of Wight, including county councillors. In fact, he thought almost the whole of the Visitors were actually resident in the Isle of Wight.

Sir W. J. COLLINS: Nominated by the Home Secretary.

Mr. GLADSTONE said there was no great gulf between the Home Secretary and the present Commissioners and the county council or any other representative body of men. It seemed to be suspected in some quarters that the Prison Commissioners lurked in the background for the purpose of worrying and ill-treating prisoners, and that somebody must be always watching to prevent these wicked men from wreaking their wicked purpose upon these unfortunate criminals. He pressed his hon. friend to admit that as between the *personnel* of the Isle of Wight County Council and the *personnel* of the present administration of the Home Office, in respect of humanity there was really nothing to choose.

Sir W. J. COLLINS said the right hon. Gentleman had entirely overstrained anything he had said or suggested. He repudiated entirely the construction which the right hon. Gentleman put upon what he had said.

Mr. GLADSTONE said the hon. Member would remember having interrupted him by saying that the local members of the Board were nominated by the Home Secretary.

Sir W. J. COLLINS: That is the fact.

Mr. GLADSTONE: And why should the Home Secretary not do so? Why should he give up part of his direct responsibility to the House, which that House desired him to have, to statutory members of a particular county council? He would appeal to the hon. Gentleman to recognise that, as a matter of fact, at the present time they did get the services of the best men available in the Isle of Wight. The hon. Member for the Isle of Wight was himself a most useful member of the Board of Visitors, and he thought his hon. friend might rest content with his assurance that it was his desire to appoint the very best qualified men who could be got. He might point out that in the Committee upstairs, after a long discussion, by nineteen to five it was left to the Department to see that the best men of the locality were appointed.

Mr. LUPTON contended that while they had confidence in the Home Secretary, yet everyone nominated by him must act in accordance with the views of the right hon. Gentleman's Department and with their way of conducting this business. Those who were nominated by the county council would be in the position of independent critics; whereas, under the system of nomination by the Department, if anyone of the Board of Visitors made himself obnoxious, or they did not like his criticisms, it would be easy to say: "Do not nominate So-and-so; he is always asking questions, he does not agree with us, and he is always giving us trouble." He thought there should be a little independent criticism.

MR. RADFORD said he desired to support the Amendment. Those who were nominated might be the best men to be found, and it was quite likely that they might be the very same men who would be selected by the county council. The fact, however, that they were not nominated by the Home Secretary but chosen by the county council would give a degree of confidence which they would not otherwise possess. He hoped the Amendment would be accepted.

LORD R. CECIL (Marylebone, E.) trusted the Home Secretary would not accept the Amendment. There was no reason why this particular prison should be treated differently from any other kind of prison, or why the county council should have a special knowledge of this place of detention that they were not supposed to have in the case of an ordinary prison. It appeared to him that the Amendment was one for which there was nothing to be said, and he hoped the hon. Gentleman would not press it.

Amendment negatived.

MR. PICKERSGILL moved an Amendment providing that at least one of the Board of Visitors should be a woman. He was sure, he said, that the interests of women prisoners were somewhat neglected from the fact that there were no women in the higher ranks of prison administration. He had endeavoured to secure that there should be a woman representative on the Prison Commission, but failing that, he now thought that at least one woman should be appointed on the Board of Visitors. The Home Secretary no doubt would say that the persons sentenced to detention would be for the most part men. That might be so, but at all events there might be some women, and there would be advantage in having a woman on the Board of Visitors. He begged to move.

MR. LUPTON seconded the Amendment.

Amendment proposed—

"In page 6, line 39, after the word 'peace,' to insert the words 'and one at least shall be a woman.'"—(*Mr. Pickersgill.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE hoped his hon. friend would not press the Amendment which it would be seen was not necessary if reference was made to Section 5 of Clause 12—

"The directors of convict prisons shall report periodically to the Secretary of State on the conduct and industry of persons undergoing preventive detention, and their prospects and probable behaviour on release, and for this shall be assisted by a committee at each prison in which such persons are detained, consisting of such members of the Board of Visitors and such other persons of either sex as the Secretary of State may from time to time appoint."

MR. PICKERSGILL: That is at the discretion of the Secretary of State.

MR. GLADSTONE: Quite so, but his hon. friend might take it from him that as a matter of fact ladies were allowed to visit juvenile prisoners at Wormwood Scrubbs and Borstal.

MR. PICKERSGILL said those visitors were quite distinct from the Board of Visitors.

MR. GLADSTONE said he could not accept the Amendment, because this particular prison would be tenanted by dangerous, violent, and habitual criminals of the older type, and he thought it would be wrong that women should necessarily be on the Board, when it was clearly shown that their admission to this class of prison might be extremely undesirable.

MR. PICKERSGILL asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 6, line 40, after the word 'prescribe,' to insert the words 'by such prison rules as aforesaid.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. G. GREENWOOD moved to amend Clause 12, subsection (1), by substituting two years for three years as the period within which the Home Secretary shall take into consideration the condition, history, and circumstances of a person in custody under a sentence of preventive detention with a view to determining whether he shall be placed out on licence. He said the doubts which some of them had felt in regard to the sentence of preventive detention were founded not so much on any matter of principle as upon some distrust of the administration of prison officials. His Amendment merely proposed that once in every two years instead of every three years the Home Secretary should take into consideration the condition, history, and circumstances of the person undergoing preventive detention, with a view to determining whether he should be allowed out on licence, and, if so, on what conditions.

Sir W. J. COLLINS seconded.

Amendment proposed—

"In page 7, line 2, to leave out the word 'three,' and to insert the word 'two.'"—(*Mr. G. Greenwood.*)

Question proposed, "That the word 'three' stand part of the Bill."

Mr. GLADSTONE said he would submit to his hon. friend that this subsection was put in largely because of the indeterminate side of the Bill as it was, and the Committee required that special precautions should be taken, having regard to the fact that a man might be detained for an indeterminate time. Therefore, they had put in these safeguards. Now that they had really shortened the time materially and taken other precautions he submitted to his hon. friend that this further restriction was not necessary. It might put a great deal of rather unnecessary trouble upon the Secretary of State and the Home Office. And let him remind the House that as the Bill stood they had first of all the examination by the Secretary of State every three years in subsection (1), then the Annual Report to the Secretary of State which was presented to Parliament; there was another periodical Report under the fifth subsection of the clause, and in addition to that they had the special committee which must meet at least twice every year, and could make representation as often as it liked. He thought under these circumstances they had taken all necessary precautions, and perhaps his hon. friend would not press the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 7, line 12, to leave out from the word 'prison,' to end of line 21.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Sir W. J. COLLINS thought the Report of the Board of Visitors should be periodical, and he proposed to provide for it in sub-clause 5 of Clause 12.

Mr. ADKINS seconded.

Amendment proposed—

"In page 7, line 27, after the word 'Prisons,' to insert the words 'and the Board of Visitors."—(*Sir W. J. Collins.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE: The Board of Visitors do under present rules report every year.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 8, line 38, at the end, to add the words '(5) The time during which a person is absent from prison under such a licence shall be treated as part of the term of preventive detention. Provided that, where such person has failed to return on the licence being forfeited or revoked, the time which elapses after his failure so to return shall be excluded in computing the unexpired residue of the term of preventive detention.'"—(*Mr. Gladstone.*)

Amendment agreed to.

*Mr. LARDNER (Monaghan, N.) said he wished to move the Amendment of the hon. Member for East Down to omit Clause 16. Appeals against preventive detention sentences under the

Bill were dealt with in the same way as proceedings under Section 1 of the Crown Cases Act of 1848. The effect of that was that the only method of appeal which the prisoner had was on a case stated in the discretion of the Court on a question of law. The House would not listen for a moment to a proposal to pass the Bill into law with no other right of appeal for English prisoners than that which it was proposed to give to Irish prisoners. Let them take the position of the English criminal and contrast it with the limited right of appeal allowed to the Irish criminal. In England under the Criminal Appeal Act there was an appeal on questions of fact and mixed questions of fact and law on the certificate of the Judge, and if refused on application to the Court of Criminal Appeal. There was always an absolute right of appeal on questions of law, but under Section 10 of this Bill there was an absolute right of appeal without certificate or application to the Court. Moreover, the English prisoner, where there was an important point for decision and he was poor, could get the assistance of a solicitor and counsel assigned to him by the Court. What position was the illiterate Irish prisoner in? He must apply to the Court to state a case. He was without means and was unable to employ counsel and solicitor to draft a case for him, while it was a most cumbersome and unsatisfactory method. He strongly urged on the Home Secretary, while he agreed with the spirit of the Bill and the intentions of the right hon. Gentleman, that he was not treating the Irish prisoner fairly in this legislation by reference in the matter of appeal. The question whether a prisoner was persistently leading a dishonest or criminal life was one of fact on which certain Judges in Ireland under certain circumstances might take a very extreme view, but the unfortunate Irish criminal had no appeal because it was not a question of law. He strongly urged the Home Secretary to tell them what he proposed and whether he would improve the position of the Irish prisoner.

Amendment proposed—

In page 10, line 23, to leave out Clause 16."—(*Mr. Lardner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. GLADSTONE: Of course I quite understand the reasoning of the hon. Member, but he takes me rather by surprise. If I had had any knowledge that that question was going to be raised I have no doubt one of my learned colleagues who represent the Irish Office would have been here to answer. I was under the impression that the Bill really was acceptable to the Irish representatives and I have reason to know it has been under their consideration. Communications of course have passed between me and the Leader of the Party, and therefore I presumed hon. Gentlemen from Ireland acquiesced in the clause. If it appears that Irish Members generally dislike the clause and wish it to be omitted that may be considered in another place, but to-night it is rather too late to consider that.

*MR. LARDNER: It could be amended very easily if the right hon. Gentleman so desires. I spoke to the Irish Solicitor-General in connection with the matter.

MR. GLADSTONE: I did not quite gather the specific way in which the hon. Member proposes to amend it.

*MR. LARDNER: It could be amended by giving an absolute right of appeal on questions of fact as well as of law.

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields): The fact that there is no appeal on questions of fact under this Bill is due to a circumstance which is not connected with the Bill. The Irish people did not themselves desire to be included in the Criminal Appeal Bill and no Court of Appeal was established to deal with questions of fact. They have an appeal on questions of law only. It is a very comprehensive appeal, and I imagine Irish Members, if consulted, would much prefer the remedy they have under the Act to that which it is suggested they might get by way of appeal, their remedy being that they have the protection of a jury on questions of fact in the first instance. Juries in Ireland are not unduly severe. One might say twelve good men and true are not likely to give a finding which would be reversed on appeal. It is rather difficult to amend the Bill because an Amendment such as is suggested would involve the creation of a new tribunal, which would be rather an extensive Amendment and would necessitate a second Bill. The Irish Members were understood not to favour the inclusion of Ireland in the Criminal Appeal Bill.

Lord R. CECIL said the House had some little reason to complain that no representative of the Irish Office was present. He did not know why the Home Secretary should be taken by surprise by the Amendment, seeing that notice of it appeared upon the Order Paper. But apart from that he did not quite follow the Attorney-General's argument. He said Irish Members ought to be satisfied because they had the verdict of a jury.

Sir W. ROBSON: I did not say they ought to be satisfied.

Lord R. CECIL said the point raised by the Amendment, as he understood, was that there was not equality of treatment between Ireland and England. In England they had both the verdict of the jury and the Court of Criminal Appeal before they could be sent to detention. In Ireland they would not have any appeal on a question of fact, though they would have the verdict of a jury. That was a matter which required some answer from the Government. They made two answers—in the first place that the Amendment took them by surprise, and in the second place that the Home Secretary had been in communication with the Leader of the Irish Party, who did not raise the point. He objected to references to negotiations and conversations which had taken place outside the House being referred to with a view to prevent discussion. He disliked them as a novelty in constitutional practice, and thought it better to consider the Bill apart from consultations which had taken place outside the Chamber. It would not be reasonable to strike out this clause, because the Bill would apply to Ireland, and yet there would be no machinery provided for that.

Sir W. Robson.

Mr. J. MACVEAGH (Down, S.) said that subsection (6) of Clause 15 contained a special provision relating to Scotland. He would suggest to the Home Secretary that, between now and when the Bill reached another place, he should confer with the Law Officers for Ireland, as to the advisability of having inserted in another place a clause dealing specially with the Irish case. His hon. friend had no desire to place the Government at any disadvantage, or weaken the Act in any way, and he would be quite satisfied if the Home Secretary would give an undertaking that the matter would be considered.

Mr. GLADSTONE said he should be glad to consider whether Ireland could not be put in the same position as Scotland.

Mr. LARDNER asked leave to withdraw his Amendment.

Amendment by leave, withdrawn.

Amendment proposed—

"In page 11, line 21, to leave out the word 'January,' and insert the word 'August.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Motion made, and, Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

Mr. BELLOC said that after the very full discussion they had had, he did not desire to detain the House, but, as he intended to vote against the Third Reading, he thought it was necessary for him to give his reasons for so doing. The discussion had been entirely devoid of party feeling, and had not proceeded on party lines. The discussion had been entirely devoid of any acrimony whatsoever. As they all knew, there had been throughout the discussion a genuine desire to make one type of punishment in their midst less cruel, and more humane than the rest of their penal system was. He remained convinced, in spite of the concessions and the arguments to which he had listened, that in theory, and he hoped to show also in practice, it was impossible for a man who held his views to vote for the Third Reading of the Bill, and in point of fact it was necessary for him to vote against it. In the first place, the crux of the whole debate on the general principle of Part II. still remained. It was only by a verbal quibble that they could say that the indeterminate sentence had disappeared. It was true that the indeterminate sentence no longer proceeded from the Bench. The power which the Home Secretary had to release at his discretion would be used, but it was still an indeterminate sentence. They were proposing in the Bill to set up a wholly new principle; they were proposing to copy societies far less civilised, with less traditional knowledge and complexity of situation, with less experience of mankind than their own. They were imposing a new principle altogether, and this was a position of extreme gravity. He knew this was an academic point which the House had fully discussed and he would, therefore, touch upon it most briefly. The Bill was based upon a novel theory, which, if it were developed, and held largely by our societies, would, in his opinion, transform those societies very much for the worst. In a speech, which it was no exaggeration to call the best he had heard on this matter, from the hon. Member for East Dorsetshire, he challenged him whether it was not the conclusion of what he called science that there was no line of demarcation between crime and disease, and, more, that we were coming more and more to regard crime as a form of disease, a thing to be cured rather than punished. The hon. Member for Tyneside also used that mysterious, dogmatic word, science, and said that this infallible thing, science, had decided in that way. The first thing to seize in this, and in a great number of other modern discussions, was that there was no such thing as this dogmatic, infallible power of science laying down rules of that kind with regard to the human mind. There was a school of physical research which had come to these conclusions, but that school was not universal, and, on the whole, he should say that its power was a great deal less than it was some ten or fifteen years ago. That school was part of the spirit which ran through, he thought, too much modern University work, confounding speculation and analogy with rigid proof and positive fact; and he denied that the complexities of that vast mystery were to be explained by a man of the type of Lombroso, who was at the head of that school. He asked any man who believed himself safe to look back upon the past of his own life, and say whether he did not recognise responsibility for his own actions, and whether his own wrongdoing seemed to be a disease or a voluntary act. He recognised that there were very many types of habitual crimes unsuited to public debate, which were somewhat in the nature of a disease, but that did not say that the man who always poached, or the man who was being continually committed for larceny or shop-lifting, suffered from a disease. He did not believe that, because such a man knew what he was doing every time he did it. He had laboured that point on account of its great importance. The Bill only intended to deal with a small class of people, but, small as was the class, slight as was the exception, they were brnging a wholly new principle into the practice of our law, and if this principle, on however small a scale it was to be applied, was repugnant as it was to him and to many others, it was impossible to vote for the Bill which contained it. What was the nature of the punishment it was proposed to inflict? It was all very well to call it preventive detention, and to describe the intention of the Home Secretary as being something which would turn those places into institutions a little more cheerful than the Crystal Palace, and make them places where men would live happier and brighter lives. The Home Secretary might have all those intentions, but what they were proposing was to deprive a man of his liberty and to put him under the arbitrary orders of other men—gaolers. And there was added to that yet another bad feature—the feature of anxiety. The poor fellow did not know that on a particular date he would be free. As the hon. Member for Mayo pointed out on the Second Reading, the one thing that made imprisonment tolerable and human at all, the one thing that saved our prison system from being too odious for mankind to impose it, was that it certainly came to an end at a definite period. They made it infinitely worse if they added the element of anxiety. They would not reform by any method of that kind. Apart from these particular considerations, he looked with some suspicion upon these perpetual attempts to make better that very evil thing, our penal system. After all the efforts of the nineteenth century, a man was no better off in our English prisons to-day than he was 100 years ago. The chances were that the exact order of prison life, its rigid discipline, and complete segregation of the human mind, was a more awful thing than the conditions which obtained before the reforms began. He wanted to ask the House another question, and it was, who would suffer this detention under the Bill? That was a very important practical point. Who would suffer this detention? It was the type of person who was the most unfortunate among the very poor—the type of man who was a nuisance in the village or the slum, who was perpetually giving irritation to the governing and well-to-do classes. His contention was that the whittling down of the criminal law in the last 100 years had left the bulk mainly applicable to the most unfortunate of the very poor. Now and then it caught a solicitor; it had caught one lord; but in the main, when a man made a concept of the criminal there arose in his mind a member of the poorest class, and below a certain minimum of income every man felt himself somewhat in danger of our system of criminal law. It was on that account that the more this proposition got known the more it was disliked. He could assure the House that those great popular audiences which he and others had recently been addressing in the north of England would, if these proposals in Part II. were submitted to them, disapprove of them by an overwhelming majority. He instanced the case of a man named Barbour who was earning 20s. a week. He worked twelve hours a day every day. His wife contracted a painful disease from which she died. This unfortunate man was left with a few little children and he was prosecuted for neglecting them by one of those societies which were paid to produce the prosecutions which added to the misery of the poor. It was discovered that the children had been well-fed, but their hair was in a dirty condition. The man was sentenced to three months hard labour by men who did not know what hard labour was. That was the type of man who would fall within the new system.

MR. GLADSTONE dissented, and said the hon. Member would find in the Schedule the crimes which would come within the scope of the scheme.

MR. BELLOC said that rich men, as a rule, would not come within the system. The man would not come under it who printed a piece of paper which he called a share in a property in Rhodesia, professing to give to someone vast future prospects, and then unloaded it for £8, though soon afterwards it became worth only 13s. 4d. Finally, who was to discover and decide whether the prisoner was being reformed? They were practically condemning a certain class of Englishmen to imprisonment according to the fancy or whim of prison warders, a class who had been hitherto somewhat menial, and who were notoriously hard in the treatment of those over whom they had arbitrary powers. That was an extremely dangerous precedent. The popular voice was against it, and on that ground, apart from his repugnance to the precedent, he was also against it.

*MR. LYELL said this had been a most interesting discussion, and there had been an absence of all bitterness. There had been acute differences of opinion, but there had been no party division. The hon. Member for Salford still stoutly maintained the doctrine of free will in all instances.

MR. BELLOC: Not all instances.

*MR. LYELL said he himself maintained that the doctrine of vengeance had got to be abandoned. He and his friends maintained that the community had a right to protect itself, and they proposed to do it in this scientific method. The hon. Member reminded him of the story of the child who, when taken to see a picture of Christian martyrdom, and invited to sympathise with the

Christians who were eaten by the tigers, devoted her sympathies to the poor tiger who had not got a Christian. His hon. friend's sympathies seemed to be devoted to the tiger, who was now to be prevented from continuing to prey upon the community. He differed from him completely in his view that this was going to apply to the most unfortunate. On the contrary, he thought the Bill was going to apply to a class who were fairly well off, who continued to plot and to plan, and to carry out a large proportion of the serious crimes which came before the Courts. He very much regretted that his right hon. friend had not accepted their Amendment which would have enabled them to deal with the habitual as well as the professional offender in a satisfactory way. But if his right hon. friend took the view that he agreed with them in principle but was unwilling to overload his Bill, there was nothing more to be said. He congratulated his right hon. friend on having carried his Bill, which he regarded as far more important than was generally thought. It was a great step forward in a cause which he and many others desired to see accomplished, viz., the breaking up of our bad old penal system, and substituting for it a new, sound, and far more scientific treatment of crime.

MR. BYLES said he only wished to detain the House for a few minutes in supporting the Bill which they were asked to read for the third time. He regretted very much to find himself at variance with his colleague and friend who had declared his intention of voting against the Bill, more especially as that hon. Member and himself represented what was practically the same community. The Bill was an attempt to humanise and rationalise the methods by which society dealt with its worst criminal population. It had been condemned by many hon. Members in the House, and by some prison reformers outside whose writings he always read with respect; but he believed that the Bill had been misunderstood during the debates in the House, and also by the public. He was bound to admit that the language of the measure itself did not so fully commend the Bill as the speeches which had been made by the Home Secretary in explanation of its provisions. It was the effort to humanise our treatment of criminals which had attracted him to the Bill. His hon. friend the Member for South Salford had spoken of the measure as being an entirely novel measure of dealing with criminals, and thought that that was an objection to it. To his mind that was its recommendation. They had been hitherto treating prisoners in a stupid manner, but at last the reformer had come in to treat prisoners as human beings and not as outcasts of society. His hon. friend seemed to think that the prisoners who were to be sent to special detention under the provisions of this measure would be under the care of precisely the same class of ordinary prison warders who at present had not a very good name. But he would remind his hon. friend that the Home Secretary had distinctly explained that it was the intention to apply the new method of treatment in the new prison about to be erected by means of a different class of warders, specially selected after instruction, whose duty it would be to instil moral and right principles in the minds of those who were in their charge, to promote their skill, to stimulate their industry, and to give them a fairly happy and useful life until they were fit to go back again to society. This was an attempt to extend the Borstal system to adult prisoners. Some people imagined that criminals were outcasts, without any good in them. He believed there was good in everybody, and far more good in some criminals than they were given credit for.

Question put.

The House proceeded to a division.

MR. JOSEPH PEASE and the MASTER of ELIBANK were appointed tellers for the Ayes, and MR. BELLOC was appointed teller for the Noes, but no Member being willing to act as the second teller for the Noes, MR. DEPUTY-SPEAKER declared that the Ayes had it.

Bill read the third time, and passed.

EAST INDIA LOANS BILL.

Order for Second Reading read.

*THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.), in moving the Second Reading, said there was no need of a long speech to commend this Bill to the favourable consideration of the House. There was no intention, he need hardly say, to borrow £25,000,000 right away. What the Bill did was to give power to borrow in this country from time to time such sums as might be necessary for railway and irrigation works and for general purposes. The total sum which would be raised under the first head was £20,000,000, and under the second £5,000,000. As the House was aware, Parliamentary sanction was needed to enable the Secretary of State for India to borrow money in this country; and it was the practice every few years for Bills of this sort to be passed. The limitation of the power of the Indian Government to borrow in this country was inherited from the old East India Company. The last general Loan Act was in 1898, and the last Railway Loans Act was in 1905. The Memorandum attached to the Bill showed hon. Members how the money borrowed under this last statute had been spent, and he did not think he need dwell upon that. The loans available under that Act for railway purposes had been raised and spent, and money was wanted now and more money for similar purposes, and the Memorandum indicated the object for which the money was needed, and the principle upon which it would be expended in future. He would like to point out to those interested in railway development that the Bill marked an advance upon railway policy as compared with that of the last Railway Loans Act of 1905. There had been complaints from time to time that there had been insufficient capital expenditure upon railways in India. When the present Secretary of State came into office a very important deputation waited upon him and pressed this matter upon his consideration, and in consequence of their representations a Committee was appointed by Lord Morley and presided over by Sir J. Mackay. The interesting Report of that Committee, which was printed and circulated about six months ago, recommended very strongly a much more energetic railway programme, the reorganisation of the Railway Board in India, and more liberal expenditure of capital on railways. The recommendations, so far as concerned the Railway Board in India, had already been carried out with the approval of most of those interested in railway matters both in India and at home, and by the passing of the present Bill it was the intention of the Government to carry out, as far as may be, the financial recommendations of that Report as well. He would ask hon. Members to look at the first part of the Memorandum and they would see the two specific requirements for which ready money was wanted in the ensuing year, although the sums that would possibly be required under this head were smaller than under the Act of 1905. In all probability they should only have to find money for the discharge of about 1,000,000 Debenture Bonds maturing, mainly of the Madras Railway Company, for the time that this Bill would last. Secondly, it was possible there might be repayment of capital by the Secretary of State to the India Midland, and South Indian railways on the termination of their contracts at the end of 1910. He said possible expenditure of that money, because the Secretary of State in Council had not been able to arrive at any conclusion as to whether he should exercise his right or not. It could not be exercised before the end of 1910, and there was plenty of time for the Council to come to a decision. In any event, whether they had to exercise the power or not they should have a much larger balance over for general railway capital expenditure than was available under the 1905 Act for construction, extension and equipment. The question immediately arose, had new construction and extension or the better equipment of existing lines the first claim? At the end of 1907 there were in all India upwards of 30,000 miles of railway open, a great achievement, and in the course of the present year, down to 31st October, 384 miles had been added to the total. Of course, much more remained to be done. There were many districts—vast districts—in India, which still had no railway communication with the rest of India, and with the centres of population, and of commerce, and there were many branch lines to be constructed along the great routes. There was before them, in fact, in the future, an almost unlimited extension of railways to meet the needs of the vast population. There was, however, a general consensus of opinion amongst those most capable of judging, and this was supported by the recommendation of the Committee to which he had referred, that the most clamant need of the moment to which capital ought to be applied was the better equipment of existing lines, rather than the building of new lines. It was no good having railways if they were not properly equipped for the traffic they had to carry. In recent years there had been great commercial prosperity, as shown in the increased earnings of the railways, and although there had been a falling off in railway receipts in the last few months owing to the famine and internal causes, in all probability this was only a temporary set-back, and it was their duty to provide for the return of more prosperous times. Of the bulk, therefore, of the capital expenditure of the immediate future, it was proposed that three-fourths or four-fifths should be devoted to the better equipment of existing lines, such as providing heavier tracks, stronger girders for bridges, doubling of lines near the large centres of population, extension of station yards, and, above all, the increase of rolling stock. The latter had been found insufficient to cope with the vast increase of traffic that had come upon the Indian railways in recent years. Hon. Members were not to imagine that they had not been alive to that need in past years. So far as the resources of the Secretary of State had gone, they had been moving in that direction for several years past. So far as these resources went, he had figures of the capital expenditure of the last three years, and it amounted to nearly £30,000,000. Of that 29 per cent. had been spent upon the construction of new lines, and 71 per cent. on the average upon equipment and new rolling stock. That was in three years, but he would point out that last year the percentage for equipment and rolling stock was 76 per cent. They looked forward to going on in that direction and devoting to that purpose even a larger amount than at the present moment. He would refer hon. Members to a very interesting table at the beginning of the Indian Railway Administration Report of last year. They would observe that the curves of gross earnings and capital expenditure went on steadily increasing almost *pari passu* from 1853 to 1903. On and after 1903 the capital outlay had not been able to keep pace with its friend and rival gross earnings. They wanted the capital expenditure on Indian railways to keep pace again with the growth of their gross earnings. He would have been tempted, had time permitted, to dwell upon other aspects of the subject, and to note some of the political and social effects of railways in India, and to speculate as to the future; to touch, too, on the profitable nature of the railways as commercial undertakings, and the surplus they had rendered to the Government in past years. He might, however, say a few words on a subject of great interest in dealing with this matter, viz., the condition of the debt in India. We had reason to be proud of the example which India set us in regard toher small unproductive debt, and of the creditable way in which she always paid her way. The total debt of India on 31st March last amounted to £246,000,000. Of that, £176,600,000 was railway debt; £29,500,000 was irrigation debt; and only £40,000,000 was non-productive debt corresponding to the National Debt of this country. That non-productive debt only absorbed about 3 per cent. of their net revenue, whereas the unproductive debt of the United Kingdom absorbed 15 or 16 per cent. That was a very creditable result for India. The expenditure upon railways yielded profit to the State and a good percentage on the investments, and the expenditure on irrigation likewise yielded a very satisfactory return.

MR. SMEATON (Stirlingshire) was understood to inquire by how much did the proceeds of railways and canals exceed the amount payable for debts.

*MR. BUCHANAN said that they got from railways in recent years a net revenue of about £2,000,000 per annum and from irrigation they got a revenue of about £1,000,000 per annum. He should like to say a word about the expenditure upon irrigation. There were those who perhaps thought that they did not spend enough on irrigation works. So far as this Bill was concerned, the capital expenditure on major irrigation works out of loan money that they contemplated was about £1,000,000 per annum. The net revenue from major works last year was no less than £1,250,000. It was £200,000 less than the previous year, but larger than the average of the last half-dozen years, which would be about £950,000. The area irrigated had steadily increased, and the sum of £1,000,000 which he had mentioned was by no means all that they spent. The Budget Estimate of this year was half as much again for minor and protective works, or £1,490,000, and there was also as the House was aware an expenditure from provincial revenues for the same purpose. The great authority on this matter was Sir Colin Scott-Moncrieff, and he issued a Report on this matter in 1903. They were proceeding on the lines of Sir Colin Scott-Moncrieff s Report. As hon. Members who were acquainted with that Report would know, in forecasting the future, he contemplated the expenditure of £29,500,000 to extend over twenty years for these major works, or about £1,500,000 per annum. He put a caution, however, in his Report, which showed that he appreciated that they might be a considerable time before they could work up to that figure, because the plans and surveys of the great works he proposed to construct would need a great deal of time to draw up, and to obtain the labour for constructing them. They, however, were steadily pursuing the lines of his policy. The accounts they got were most satisfactory of the work that had been done. They were going along as continuously as they could on that policy, and attacking in detail one after another the more important works that he recommended. He came to the general purposes part of the Bill, for which they asked leave to borrow up to the sum of £5,000,000. That was included in Clause 4. The last Act under which they had general powers was the Act of 1898. Until 1905, East India Loan Bills were of two kinds. They were either Bills to borrow specific sums of money for specific railway works, or they were loan Bills for the service of the Government of India, which they here described as "General Purposes." In 1905 such pressure was being put on the Secretary of State for larger capital expenditure on railways that he wisely brought forward a separate Bill for general capital expenditure on railways and irrigation only. They had at the present time available general borrowing powers under the Act of 1898, but they were less than they appeared in the Memorandum. In the last paragraph of the Memorandum they were put at £3,800,000, but they were obliged to issue new bills in the month of November to the extent of £2,500,000 under this Act, so that the balance of borrowing powers they had now was £1,300,000. That was an illustration of the purposes to which in the main borrowing powers under the 1898 Act had been applied, and to which in the main the £5,000,000 which was asked for in this Bill would also be applied. The power that they enjoyed under the 1898 Act was a power enjoyed by this country and by every other self-governing community. In the course of the year when the balances were not very large they might have charges come upon them which they had to meet, and they had to borrow money for that purpose. As everyone knew, the Chancellor of the Exchequer was frequently obliged to go into the market and issue Treasury Bills, and in the same way, the Indian Government was frequently obliged to go into the market in order to issue India Bills, and in the month of November they had to issue £2,500,000 worth and in June £2,000,000 worth of India Bills. It might be asked why they wanted this power. It was to meet emergencies which any Government might have to meet. Some of those emergencies were great, some small. The only great emergency that he was aware of that had had to be met out of borrowed money since the 1898 Act was in consequence of the famines of 1898 and 1900. They were very severe famines, and the Secretary of State was obliged to borrow over here about six millions of money. He quite properly treated that as a temporary loan and was able in a comparatively short time to repay more than half of it, but £2,800,000 of that money still remained as an addition to permanent debt. The only other sum within recent years which they could treat as a permanent addition to debt was an amount of £1,400,000 for railways, and they were entitled to do that, because when this Act was passed the general capital expenditure necessary for railways was included in the powers given by it.

MR. SMEATON: What became of the famine insurance fund of £1,500,000 reserved to that particular purpose.

*MR. BUCHANAN: That was absorbed at the time. His hon. friend asked for a complete account of all the transactions under the Act of 1898. It was impossible to give that, but the general results could be summed up. He had given the only two specific transactions which had added permanently to the debt.

*SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean) said £2,000,000 had been borrowed since this Bill was laid before the House. They wanted to know what that was for.

*MR. BUCHANAN said that was an issue of India Bills under the Act of 1898.

*SIR CHARLES W. DILKE said the words were "general" and "other" purposes, and the earlier words were "irrigation and railway" purposes. £2,000 000 had been recently borrowed under the Act of 1898, and they wanted to know what that was for, otherwise they could not understand the explanation of the right hon. Gentleman.

*MR. BUCHANAN regretted that his explanation was not clear. They had made two issues of India Bills this year for £2,000,000 and for £2,500,000. Both issues were under the 1898 Act, though the latter was made after this Bill was printed.

*SIR CHARLES W. DILKE: What for?

*MR. BUCHANAN: To meet charges over here.

SIR F. BANBURY: What charges?

*MR. BUCHANAN: Home charges which are constantly paid over here on behalf of the Government of India.

SIR F. BANBURY: Why are those charges not met out of revenue? They ought to be met out of revenue, and now I understand the right hon. Gentleman to say he has met them out of capital, and that he has borrowed £2,000,000 in order to meet them.

*MR. BUCHANAN said they were only being met out of borrowed money temporarily. It was the constant and necessary practice of every Government. The general result of all the transactions under the 1898 Act was that at the present moment they had only £1,300,000 available margin of borrowing power to go upon, and they asked for £5,000,000 more, but they certainly expected to repay very shortly not only the £2,500,000 recently borrowed but also the £2,000,000 which he had previously mentioned. The powers which the Indian Government were here asking for under Clause 4 were only the ordinary powers which every Government must have. He did not think anyone could say that the powers which they had had in the past had in any way been abused. The whole sum of the matter was that under Clause 3 they were asking for power to borrow another £20,000,000 for the purposes of the 1905 Act, and under Clause 4 another £5,000,000 for the purposes of the 1898 Act. The powers under these Acts had been carefully exercised, and he believed the additional money they now asked for would also be carefully used. He begged to move.

Motion made, and Question proposed, "That the Bill be now read a second time."

*DR. RUTHERFORD (Middlesex, Brentford) said that, in moving that the Bill should be read that day three months, he was following a good precedent. When the 1898 Bill was introduced by the late Government, an Amendment was moved by Sir William Wedderburn to the effect that the House declined to sanction a sterling loan of £10,000,000 until a Select Committee, on an examination of the East India accounts, should have reported that such loan was in the interest of the Indian taxpayer and would not unduly increase the burden he now sustained. That Amendment was rejected, but in the minority there voted the present President of the Local Government Board, the Solicitor-General, the Attorney-General, the First Lord of the Admiralty, and the present Chancellor of the Exchequer. In 1898 Lord George Hamilton, who was Secretary of State for India, used a substantial argument by saying that a considerable portion of the money was to pay off loans at high rates of interest and in that way reduce the interest on the debt and the indebtedness of the Indian taxpayer. He did not understand the Under-Secretary to make that point, which, after all, was a very solid and important argument. Who had been asking for this great extension of railways towards which the chief portion of the money was to go? The Under-Secretary seemed to suggest that pressure had been brought to bear upon the Secretary of State by financiers, traders, and chambers of commerce. Had any representations been made by representative Indian public bodies asking for this large expenditure for the extension and improvement of railways? So far as he could make out, the present railway system was excellent and adequate and there were far more pressing needs for money. The Under-Secretary had told them that £1,000,000 a year would be set aside out of the loan for irrigation. All Indians felt that irrigation was one of the great sources of salvation of the country. It was perhaps the best preventive measure against famine, and it would be infinitely better and wiser for the Secretary of State for India to recommend the Government to spend much larger sums on irrigation than upon railway extension. He would not dwell upon education, but they realised that in four out of five villages there was no school, and they knew that less than £2,000,000 a year was spent on education whilst £20,000,000 was spent on the Army. Surely it would be wiser if some portion of the money was dedicated to education rather than to railways. He might say the same with regard to irrigation. They wanted to prevent plague, malaria, cholera, and other great and devouring diseases, and money was essential to carrying out great sanitary schemes. They, therefore, asked the Secretary of State and the Under-Secretary to use their influence with the Indian Government to apply the money to more wise and beneficent causes than were suggested in the Bill. They were standing on historic ground when they moved the rejection of the Bill and said that the supplies of money should not be granted until great grievances were redressed, and that there should be no taxation without representation. He would not dwell at length on that second great principle, because they all understood that the Secretary of State in another place was going to make a declaration of the Government's policy with regard to the great scheme which would incorporate reforms for giving the people of India a larger share in the government of their own country; but would it not be better to postpone the present Bill till those reforms were carried through and the Indians had an opportunity of expressing their opinions, sentiments, and wishes in regard to it? He was sure that would be in the interests of the good government of India, and would have a very beneficent influence upon public opinion there. The first grievance to which he wished to draw attention was the grievance of the House in relation to the Government of India. They were, so far as he could make out, treated in a very contemptuous fashion; they were either ignored or muzzled, and in many ways they had not the opportunity of expressing an unbiassed opinion upon great events in India. He would take the Partition of Bengal as an instance. They were told that the assent of the House of Commons was not required to that Act, although no Act was ever carried through more damaging to British prestige and British authority. It was a humiliating position for the House of Commons to occupy, and they protested and rebelled against it. They came there as Liberals, as Democrats, and as Labour representatives, and they said it was an intolerable form of Government, and that until India had representative government they must have a deciding voice in reference to the great questions of Indian Government. The reform proposals, for instance, were to be introduced in the other House, and they were to be debarred from debating them altogether this year, although they all knew how important it was they should express their opinions upon what was happening in India to-day, and that the House would render magnificent service if it took part in the debate on the reforms which were to be placed before the House of Lords. They had not come there to be dummies. They had come there to represent the people of the country, who would never be satisfied if the House of Commons was muzzled and not allowed a fair opportunity of debating important questions in reference to the Empire. Two years ago, the Secretary of State declined to put his salary on the Estimates. He thought that was a fatal error. The salary of every other Secretary of State was on the Estimates. He knew that Lord Morley used the argument—an extremely feeble one—that India should not be a party question. Whenever anything excellent was done for India, it was done through the medium of a party. The reform scheme which Lord Morley was going to produce next week would be the result of a Liberal Government as opposed to the reactionary methods carried out by the late Tory Government. It was only in accord with Liberal and constitutional principles that the Secretary of State's salary should be put on the Estimates. The next grievance to which he wished to draw attention was in reference to the Indian taxpayer and the British taxpayer as well, so far as Indian expenditure was concerned. In 1870 the expenditure on the Indian army was £12,000,000; in 1880, £17,000,000; in 1890, £15,000,000; in 1900, £15,000,000; and in 1906, £20,000,000. If India was perfectly safe ten years ago with an expenditure of £15,000,000, surely £20,000,000 was an exorbitant and extravagant sum now that there was room for reduction. The Liberal policy was not only peace and reform, but also retrenchment; and there was a great opportunity for retrenchment. His complaint against the present Government was that they had adopted the Tory policy of previous years with fatal consequences both in India and this country so far as social reforms were concerned. The risks of the invasion of India were less than ever. The nightmare of a Russian attack had been removed, and they were not likely to have invasion by any other Power. The Anglo-Japanese alliance gave us a great opportunity for reduction in military expenditure, because, if the Indian Empire were attacked, Japan would render us service. There was, however, one objection raised, and with some people it seemed to have weight. They said there was a danger of mutiny. He did not think they understood the situation. The national movement was almost entirely constitutional, and the vast majority of these politicians desired attachment to England, and only asked for Home Rule in some form or other. Here was a grand opportunity for the Government to reduce military expenditure. He hoped they would be equal to the occasion and would bring down the cost of the Army very considerably in India. He would have liked to have made a special appeal to the Chancellor of the Exchequer, because on the linked-battalion system any reduction in the number of the Indian Army permitted a corresponding reduction in the Home Army. He knew he wanted large sums of money next year for old-age pensions and other purposes, and here was a means of getting from £4,000,000 to £5,000,000 a year. He trusted the Chancellor of the Exchequer would be on the track of his right hon. friend Lord Morley and see that the Liberal Party were not disappointed in this source of saving. It was a great sorrow and disappointment to Liberals to find £300,000 additional cost of the Indian Army through the acceptance of Lord Romer's Commission's Report. Lord Morley should have stood out against that, and have rejected it at all costs and hazards. They must remember that the Welby Commission recommended that the British Government should undertake more responsibility in the upkeep of the Army in India, and, after all, the Indian Army was used for great Imperial purposes in Somaliland, in China, and other parts of the world. On 15th October the Under-Secretary said he believed the Government of India had assented to the increase. But on 3rd December he understood that a despatch was received from the Government of India strongly protesting. They were there as the Liberal Party to support that protest, and they trusted the Government would favourably reconsider that decision, and that they would no longer hear of this extra charge being thrown on the Indian taxpayers. Another question he wished to ask was how much of the expenditure was for railway extension for strategic purposes. He did not know that this was the time to dwell upon these railways, but there was a very sad and a bad side to them. If they penetrated other people's territory with strategic railways or otherwise they must create bad blood and frequently lead to war, and he thought some of the recent wars on the North-West frontier must have arisen partly out of these unfortunate extensions of strategic railways. He trusted no money would be spent in that direction. One further point as far as Indian policy was concerned. The Government of this country was extremely strong and determined as to loans. They had been denounced by the late Prime Minister and the present Prime Minister in the very strongest terms. Practically it was a Tory method of managing finance, rotten to the core. They did not like to see it established in England, and they questioned whether it was wise to continue a policy of loans for India, especially for non-productive purposes. He opposed the Bill on the ground that it was against the highest interests of Great Britain and India, was in defiance of the best traditions of Liberal finance, and in violation of the principle that representation should accompany taxation.

*SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean) said it was no ordinary sense of responsibility that surrounded a debate at that moment upon Indian affairs. He was one of those who had taken no part in Indian debates in the present Parliament, although keenly sensitive of our duty towards the people. It was felt by those especially who by generations of connection with that country had more or less been brought up among the people of India, and he felt it impossible not to speak when that was being done which had lately been done in connection with Indian finance and which, dangerous and unjust at any moment, was specially unjust and dangerous at the present moment. Some of his friends had cheered statements of which on mature consideration he was sure they would not approve. It might be questioned whether it was wise that Indian affairs should be discussed now, but his hon. friend behind him must know that the statement which he so highly disapproved, that there should be some annual occasion upon the Votes when the House should have an opportunity of expressing its opinion, not on Indian finance only, but upon all Indian affairs, freely, in the usual way applicable to other parts of the Empire—to the Colonies themselves—with the unanimous recommendation——

*MR. REES (Montgomery Boroughs): To what statement of mine does the right hon. Baronet refer?

*SIR CHARLES W. DILKE said that when it was just now suggested that there should be a Vote on the Estimates for India, and stated that that had been absolutely refused by the Government, his hon. friend cheered and agreed in the refusal. He must know that that was a matter in which he had the whole weight of Indian opinion and home statesmen against him, for it was the one point on which the Commission, which differed on every other point, was unanimous. The Commission was specially appointed on that very question. He heard his hon. friend next but one to him cheer just now. He appeared to dissent from the opinion that there could be any reduction in Indian expenditure. The Japanese Alliance had removed no danger, because there was none of external invasion, and he agreed that the Japanese Alliance could not have been utilised for that purpose if there had been. Why was the Indian Army kept up on an extravagant scale as compared with that which we could afford here in this richer part of the world, and altogether out of proportion to that which we dared to ask the Crown Colonies to contribute?

Why should there be a two to one different scale between Ceylon and India? There were dozens of military demands which had been made in this country and rejected year by year upon the ground of cost. But in India there was no opportunity of debating, there was no Parliament and there was no popular representation; he did not advocate it, he was not an Indian Parliamentarian; but the fact of the non-existence of representation forced upon the House the responsibility for stating what they thought to be the truth, and putting it before the House for discussion. He was not an economist. He had never professed to be one. He was not pledged to retrenchment even in this country. But they had a higher responsibility in regard to India than they had to their own constituents who could turn them out if they differed. That fact compelled them to see that India was not taxed for military expenditure on a scale which they would not adopt for themselves, and which they could not enforce upon the Crown Colony by the side of India. On this occasion the whole policy of India was open to them. There had never been any subject connected with the policy of India ruled out of order on a Bill similar to this. On two occasions there had been attempts to do so, but they had failed. Mr. Gladstone had discussed on a Bill like this the whole frontier expeditions of the Indian Government, and every general question had been discussed upon them. His own feeling was that it was so easy to do harm and so difficult to be sure that one was doing good that he did not intend to discuss Indian policy or to anticipate the discussion on Indian reform which would be taken on another Bill; but as regarded finance, he thought it was their bounden duty to put before the House considerations which this Bill forced upon them, especially those affecting strategic railways and military finance. He was quite sure the India Office could not approve of recent railway extensions on the extreme frontiers. He was certain that neither the Secretary of State nor the Under-Secretary, nor the permanent officials at home, could approve that course of action if it was not forced upon them from India. The prevailing opinion among the highest officials was against most recent extension of these strategic railways. He did not hesitate to say that it, like the redistribution scheme which involved India in so much expenditure on new barracks, and which would have been larger still if it had not been stopped in some most foolish points, was entirely due to Lord Kitchener, new to India and much more rash when he first got there than he was now. There had been absolute secrecy maintained in India and here with regard to these newest railways and in regard to these new stations involved in the redistribution scheme. It had been impossible to extract any information from the Government in regard to it, and it was difficult to dissociate in one's mind that which one knew confidentially, very often from foreign sources, from that which one knew from any source which was open to the public here. Officially one knew nothing, but Questions had been asked, and the Answers had shown that a policy had been pursued, which had been generally condemned by experienced opinion in India, and which was, at all events, inappropriate to present conditions, of placing a very large proportion of the Army in most unpopular stations, hated by white troops and natives alike, on the extreme frontier in places like the new cantonment proposed in Beluchistan, south-west of Quetta. These worst cases had been given up, but even in regard to them they had never been able to produce a positive pledge from the Government that these foolish schemes would not be set on foot again. The railways which had been partly made were connected with them and had no meaning except in connection with them, and they had been built, of course, out of the general railway system of India and were not separated from the ordinary commercial railways which they were developing by that Bill. They were purely strategic and were only for use in some impossible circumstances. As to the railway along the Kabul River gorge, he ventured to prophesy to the authorities concerned when the first Khyber War took place that the second would follow, and it did follow in two months time. It was caused entirely by a military survey in force of a district in which we could have no military interest in making a railway at all. The railway led nowhere, because the Torsappa cantonment was now given up. This was the only opportunity he knew of on which these matters could be considered by the House, and in India they could not be considered at all. They were bound to take this opportunity or it would never be taken by anyone—it was nobody's business—and these matters passed without the slightest protest. The Under-Secretary was a member of the Indian Expenditure Commission and his action in that House had been dignified and consistent, and the defence he had offered of the Bill was perfectly applicable to the larger portion of it, but it covered parts of which he did not speak, and which were open to charges which he understood as well as any of them. It was the general expenditure part of which he spoke, because the strategic railways were only a small portion. In his speech the Under-Secretary mentioned the financial difficulty caused by famine, and his hon. friend the Member for the Montgomery Boroughs said there had been no famine in India and never was. That was rather straining at the gnat. This was given as the ground for the failure of Indian finance partly, but more especially of provincial finance. His hon. friend had pointed out in supplementary Questions by the dozen that plague—he did not mean the plague of supplementary Questions—in India was unimportant as compared with other diseases. There had been a most unfortunate increase of plague, but on the top of that the death rate had been increasing so fast that without plague the state of things was terrible.

Mr. REES said that what he objected to was the assertion, or the implication, that the plague was invented by the British Government.

*Sir CHARLES W. DILKE replied that it appeared to him to be a great pity that an hon. Member of the House, on the rare occasions when India occupied its mind—and who, to some extent, shared along with himself the good things which came from India—should not feel a special responsibility in regard to facts which were beyond dispute. Under those circumstances it was their duty to strain a point in favour of the people of India. But the hon. Member went beyond the Government of India, for they admitted that plague and famine were the most frightful calamities and were at the bottom of all the troubles they had had. The question of military expenditure and Indian finance was specially before them that day, and they had to consider the effect of Lord Kitchener's redistribution scheme. The military expenditure of India was being kept up on a scale, admirable in a military sense, but impossible in Europe, and unnecessary in a country where a foreign attack could not speedily be made. Surely they were erring on the side of extravagant expenditure, and this was a subject demanding their immediate attention. Although there had been at least one unnecessary frontier war provoked, they were having a continuance of strategic railways on the extreme frontier in which no one but Lord Kitchener could say he profoundly believed, and this policy was being pushed forward by Lord Kitchener's will alone against the opinion of all sane men connected with the Government of India. They had on the top of all this the Report of the Romer Commission, which some people were simple enough to believe at one time was appointed for the purpose of alleviating the charge on the people of India. Let the House remember the history of this military charge. As his hon. friend had already said it was entirely without precedent, and there was nothing like it in any other country in the world. They did not make anything like that charge, or anything approaching it, in any Crown Colony. India had to pay every farthing of her military expenditure, and although her contribution towards the Fleet seemed small, nevertheless, it was on a far larger scale than that which was paid by any Colony. India's home military expenditure was on a scale unequalled in the world, and she had to pay every farthing of it herself. She had to pay the cost of the soldiers from the moment they set foot upon her transports to the moment they returned; and not content with that, India had been charged in addition a lump sum of £750,000 a year for the recruiting and training of the men in this country before they were sent out. That was the system which had been forced upon the Government of India. That system had been protested against in the Report of every Commission and Committee which had considered the subject, and all perfectly impartial persons, including Conservative and Unionist writers in the Press, had joined with the Indian Government in condemning this military charge, and there was a general feeling that it ought to be got rid of. Against the wish of the Government of India the Commission to which he had referred had charged India £300,000 a year more in addition to the previous military charge. This was entirely without precedent, and it was a burden which the Government dared not inflict upon any other part of the Empire. He confessed that it did seem to him to be a most stupendous act of folly to add to a charge which already stood so universally condemned. They were raising under this Bill £1,000,000 for irrigation and about £9,000,000 in all for general purposes. They had been told that Indian military expenditure was to be diminished. They were told so before the Resolution was passed by the House, which was allowed to pass without debate. He had endeavoured as briefly as possible to lay his case before the House, and he had purposely avoided the discussion of Indian policy as a whole, because of the deep sense which he had that such a discussion at the present moment was likely to do harm and was unlikely to do good. The military expenditure of India had reached a scale which even he, who was considered an extravagant person in military matters, could not defend, and hon. Members must stand stupified at the possibility of having to defend such an enormous military charge. There had been a certain amount of juggling with figures. When a few members of the Viceroy's Council had been bold enough—not to raise the question of these strategic railways or the frontier war, which, in his opinion, that policy had caused; not to raise the question of the cantonments, except by a question which produced the information that one of the places chosen was entirely without a drop of water—but when they raised the vague and general question of the amount of increase of the Indian charge caused by Lord Kitchener's policy during the last five years, they had been told that there was an increase, but it was not so great as it was supposed. What ground was there for that increase? What ground could possibly be alleged in the House for continuing that increase by building barracks on the extreme frontier when there was no immediate danger? [Cries of "Yes."] There was no danger of foreign invasion. That idea had been ridiculed even by the Leader of the Opposition. If there was a danger at present it was that of civil sedition in India, but that was a reason against the policy which was being pursued, and it was no reason for placing the best part of the army in unpopular stations on the extreme frontier. That fact was admitted by all who knew the military state of India. There was really nothing more to say upon the administrative point. It was alleged that the permanent charge on India which Lord Kitchener's policy had involved was not so large as some had said. It was difficult to get the exact figure, but undoubtedly there had been a considerable increase in the charge. In replies on the cost of the British Army India was clean forgotten; left out of account. Of course, it could not be, because there was no line to be drawn between the British Army at home and the British Army out there. The cost of the Indian Army, enormous as it was, greatly and permanently increased as it had been in the last five years, did not show all. For transport in India we relied very largely upon the camel and other transport which was provided by the Imperial Service Troops of the Native States, and they, like the military police and the strategic railways, were not charged in the account. He was one of those who shrank from the responsibility of speaking at this moment of Indian policy, but they could not ignore the fact that we were unable, in certain portions of the Empire, to give the full protection of the British power to our Indian native subjects. But, if we could not remedy that grievance, and it was an undoubted grievance pressing at this moment upon the whole Indian people, above all we should avoid the imposition of a new grievance upon them. And he confessed that the decision of the Romer Commission, in the teeth of all the evidence that had previously been produced, against the protests of the Government of India, to increase a charge already indefensible, a charge which we dare not put upon any other portion of the Empire, appeared to be the deliberate creation, behind the back of Parliament, and without the knowledge of the people of India until it was done, of a new and fresh grievance which might easily have been avoided. Every member of the Commission on which his right hon. friend the Under-Secretary for India sat proposed financial relief upon this military point, and the principles upon which they proposed this relief were applicable to the situation now. He was quite sure, whatever his right hon. friend might have to say, that he could not really have changed the opinion, which all the Commission in greater or less degree entertained, that this charge—to use the Under-Secretary's words—had no parallel and would never be made if we were starting now *de novo*. It was not done against any other portion of the Empire. They had so deep a responsibility for the affairs of India at the present time that even those of them who shrank from the full force of that responsibility in discussing these affairs as a whole, fearing they might unwittingly do harm, felt forced to enter a protest against treatment which might create a grievance additional to any which had existed up to the present time.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Dr. Rutherford.*)

Question proposed, "That the word 'now' stand part of the Question."

EARL PERCY (Kensington, S.) expressed the hope that the House would not refuse to give a Second Reading to the Bill, which was admittedly one of urgency and might, he thought, have been pressed forward earlier in the session. The right hon. Baronet had discussed many important questions deserving careful consideration, questions which could hardly be discussed profitably without some warning that they were to be raised. It must be obvious that they could hardly be discussed properly in the hour and three quarters available in that debate. When the right hon. Baronet reminded them that they had not had the advantage of his participation in the debates on Indian affairs, he could not quite understand why he had selected that occasion for a disquisition on all those subjects which, although excessively interesting, had in some cases a very remote bearing on the subject matter of the present Bill. The Secretary of State was not asking for powers of a new kind, and if he were to make any criticism of the Bill it would be that he thought the demands somewhat erred on the side of moderation. He could not help thinking that the money to be used for railways would prove inadequate in view of the recommendations for new construction and the fact that a certain amount was to be set apart for irrigation. He hoped it was an indication that the Government of India looked forward to being able to raise a larger proportion of these loans from India in future—thus depriving the agitation of a familiar and absurd subject of misrepresentation and giving the great mass of the Indian people a more direct stake in the stability of their institutions. The only practical result of refusing a Second Reading would be to deprive the Indian people of the means they needed to develop the material resources of their country.

*MR. KEIR HARDIE (Merthyr Tydvil) said that this was a Bill to enable the Government of India to borrow £25,000,000. That money was to be raised for two specific purposes and one not specified. The two specific purposes were railways and irrigation. It was not his intention at that hour of the evening to go into the general argument as to the condition of India. As to Army expenditure in India, India had to pay not only the whole military cost of her own defence, but also for wars carried on beyond the frontiers of India, wars in which the Indian people had no concern, but in which Indian troops were employed. As illustrations of that statement he would mention the wars in China and in South Africa. He believed that £20,000,000 had been spent on wars beyond the Indian frontier in which Indian soldiers had been engaged, and for which the people of India had to pay. [AN HON. MEMBER: No.] Viewed from the standpoint of the Indian peasant, the modern railway was a very doubtful blessing. It enabled the grain which was grown in plentiful seasons to be carried off, so that in the seasons of scarcity there were no reserves to fall back upon as in the pre-railway days. The railways and the commerce following in the wake of them, had increased the cost of living; and also had increased the revenue derivable from the land. Every improvement, indeed, in the Indian railway system tended to increase the amount of revenue which the peasants were called upon to pay. Therefore the existence of a huge railway system in India was not an unmixed blessing to the natives. There was one aspect in connection with the working of the railways in India to which he desired to direct the attention of the House. He meant the treatment meted out on the railways to native gentlemen as compared with Europeans. On all the principal railways there were carriages especially set apart for European travellers; and at all the big railway stations there were special waiting-rooms and other accommodation and conveniences also for them. Anyone, no matter how poor or illiterate he might be, who happened to be a European, if travelling on the railway was entitled to the use of the special carriages, the special waiting-rooms, and other facilities at the stations. Whereas, the greatest Indian noble when travelling had to be content with the accommodation provided for the natives. A very striking case which was well known in India, and which ought to be better known in this country, illustrated the method in which the educated Indian was treated when travelling on his own railways. An Indian gentleman, who received a title at the hands of Her late Majesty, Queen Victoria, who was a convert to Christianity, and was well known for his activity in mission work, whose sons were educated in England, one of them marrying an English lady, went to meet one of his sons returning from his college career in England. In the same compartment with him were two British officers. At a junction the son was entering the compartment where his father was seated, and the two British officers, although the compartment was not reserved for Europeans, objected to what they called "another black dog" coming into the same compartment with them. That was no isolated case. It was a matter of almost daily occurrence. There was a good deal of discontent in India in regard to various matters, but there were few points on which the educated native felt more keenly than this attempt to treat him as a "nigger," as he was frequently called in his own country by those who ruled over him. Passing to the irrigation works, these were mainly regarded as revenue raising methods. The works were a credit to all connected with them, engineers and officials alike. Eighteen months ago there was alleged to be a seditious movement rampant in the North-West of India, but the real explanation was that a Bill had been passed adding 50 per cent. to the water rate charged under an irrigation scheme. The ryots refused to pay the rate and agitated against it, until in the end the Bill had to be withdrawn. When it was remembered that the net revenue from irrigation, as explained by the Under-Secretary for India, varied between £750,000 and £1,250,000 a year, it would be seen that the charges must in themselves have been excessive. From information supplied to him he believed it was the case in the North and North-West of India that the interest on the capital sum of these irrigation works ran from 25 to 30 per cent., and therefore the benefit which natives would otherwise derive from irrigation was absorbed to maintain the increasing military expenditure of the country. One other point in regard to irrigation. The complaint, and he was sure the right hon. Gentleman must be aware of it, was frequent and general, that, whilst enormous sums of money were spent in what he would call major irrigation works, the smaller works, of which there were tens of thousands scattered all over India, were allowed to fall into a state of neglect for lack of means to keep them in proper repair. He suggested that instead of spending these large sums on large schemes, and starving the small village works, money should be supplied to keep the latter in order; because it was upon them that the peasants depended for water to keep their crops growing. If this Bill got a second reading he should put down Amendments to endeavour to secure that both the railways and irrigation works should not be used as a means, in the case of railways of insulting the people of India riding on their own railways in their own country, and in the case of irrigation works, of extorting further revenue from an already poor and overtaxed people. He hoped that the result of the debate would be that even now the reforms which were to be laid before another place by the Secretary of State for India would first be submitted to this House, if only in the form of Parliamentary Papers. It was surely an innovation that great Parliamentary reforms with regard to India were to be submitted to and discussed in another Chamber, while this House was refused an opportunity of considering them this session. After all was said and done, the House of Commons was the guardian not only of the financial interests of this country, but of those of India. The fact that the people of India had no effective say, or rather absolutely no say whatever, on the expenditure of the revenue drawn from them made it still more incumbent that this House, before further powers were granted for raising money, should have guarantees that the money to be raised would be used for the benefit of the people of India. The hon. Member for Montgomery Boroughs had been referred to by the right hon. Baronet, the Member for Forest of Dean, as one who took a great part in connection with Indian affairs in this House. The hon. Member was one of the men who should have a kindly feeling towards the land to which he owed so much. It was not merely his past career; but at this moment the hon. Member was drawing revenue from the people of India, and the service he rendered in return was to malign and misrepresent them on every opportunity which the forms of the House afforded. He trusted that this debate would have the effect of imposing upon the Government a sense of the fact that whatever might have been the case in the past, the situation in India was growing so serious that this House of Commons could not afford to let any of these questions pass without discussion, or to allow Indian finance to remain without control. He believed the Indian people to be a loyal people; he knew them to be intensely devoted both to this country and to the Throne, but the treatment meted out to them in the past had begun to strain their loyalty. It was because he desired to see India remain loyal to the British connection and the legitimate grievances of the Indian people redressed in this House that he hoped the Motion of the hon. Gentleman would receive such large support as would indicate to that people that the day of apathy and indifference on the part of this House was passed.

*Mr. REES commented on the fact that the hon. Member having dwelt on his delinquencies, had not given him much time in which to reply. It was, he said, an amazing piece of effrontery for the hon. Member for Merthyr to get up and talk to him about loyalty and the feelings of the Indian people when the hon. Member himself was so much responsible for encouraging the disloyal element in India and spreading abroad——

Sir H. COTTON (Nottingham, E.): I protest against that remark.

*Mr. REES said he coupled the hon. Member for Nottingham with the hon. Member for Merthyr in his denunciation; he saw no distinction in the effects of their propaganda, none whatever. The hon. Member had quoted as an authority of a statement to the effect that the officials of India admitted that the people were too poor to benefit by any reform, a certain Sir S. Lawrence. His ignorance of the name was not due to his ignorance of Indian affairs, as he had never heard of a gentleman of that name concerned in them.

*Mr. KEIR HARDIE said he mentioned a Mr. Thornton, Financial Commissioner.

*Mr. REES said the hon. Member mentioned a Sir S. Lawrence, and his acquaintance with Indian affairs did not allow him to substitute the word Thorburn for the word Lawrence. It had been said that India was made to pay for the use of the British troops when employed outside India. He believed that matter had been adjusted, and the cost in such cases was not now charged to the Indian revenues. The hon. Member talked like a Rip Van Winkle of the railways increasing the prices, but he did not seem to know that railways equalised prices, and that if one district had a good crop, by means of them it was enabled to supply parts of the country where the crops had failed. When an hon. Gentleman got up and talked in such an antediluvian spirit it dumfoundered him, and he found it difficult to argue with him. He was glad indeed the hon. Member had nothing to do with the administration of the affairs of India. The hon. Member said that railways increased the cost of living, and that land beside the railways did not range higher in price. The fact was that the owners of land near the railways got very high rents, over and above living on the produce. He did not know where the hon. Member had lived; it certainly was not in India, and the proposition was so ignorant that it was absolute folly to discuss it. The hon. Member had not that substratum of knowledge of his subject upon which he could possibly build any kind of superstructure of intelligent appreciation or criticism. Then about the treatment of the Indians. During the course of a longish career in India he had repeatedly stood up for them in cases in which they had been wronged, and punished British officers who had ill-treated them. But let them be just to the British officer. There might be young men who behaved foolishly and wrongly, but what folly it was for hon.

Members to talk about the "exclusiveness" of the British officer in India in keeping a native out of his carriage, when they all knew that the British officer did not go home and wash his hands and thank God he was not as other men were, which was what the native of any caste did when he happened to touch an Englishman. Before hon. Members of the House of Commons talked about Indian affairs they might take the trouble to learn the beggarly A B C of their subject. Any weight that the Motion had was due to the fact that the right hon. Baronet seconded it. The right hon. Baronet dwelt upon the responsibility which rested upon them when they dealt with Indian subjects, and he felt that responsibility as keenly as anyone, and such was his feeling that he deeply regretted that any of these questions were raised utterly unnecessarily upon this Bill. He did not believe that the people of India would be better off if the Government of India were deprived of money for the purpose of providing for their interests. The hon. Member for Brentford had repeatedly said "We," but for whom did he speak? Not for the people of India, and Heaven forbid that he should speak for the Liberal Party. There was a little knot of Members who had been very much in evidence that night, but whose influence was in no sense proportionate to their loquacity. The right hon. Baronet spoke almost contemptuously of Lord Kitchener, and he supposed his root and branch condemnation of him would apply to Lord Roberts as well. For himself, he thought that soldiers did know something of their subject, and when we sent one out to India he thought it would be wise to allow that there was something in his recommendations, and in his authority. The right hon. Baronet talked about the question of irrigation versus railways, and as to that he might point out that irrigation which was so often suggested there as a panacea for all Indian ills was by no means a panacea, because he did not think anybody would dispute the obvious fact that as fast as they increased the irrigation and grew more corn, so much faster did the population grow to eat that corn, and they were not going by that means to get out of the difficulty caused by the population being more numerous than could be supplied by the corn which they could grow. They had this subject up again and again under the late Viceroy, about whom he wished to speak in this House as one who had done great service to the State. A careful inquiry was made, and hon. Members must take it that the Viceroy's advisers were capable men, and after the most careful survey of India the conclusion was come to that the area which could be irrigated at a cost such as could be borne by a responsible Government was exceedingly small. It was not fair for hon. Members to talk as if the State had the streams of Pactolus or the mines of Monte Christo at their back; they must do these works out of the pockets of the taxpayers and in their interest. The Government was bound not to undertake foolish schemes and to carry out only such as a wise administrator would adopt. He felt he should be best serving the cause of India by not delaying the passage of this Bill, and he appealed to hon. Members who had had their say and had made speeches which would go out to India and do infinite mischief, to make what reparation they could by not forcing the House to a division, which would have the worst possible effect in India.

SIR H. COTTON said he wished to enter his emphatic protest against the speech which had just been delivered by the hon. Member for Montgomery Boroughs. He could not say that the hon. Member did not represent to a very large extent the official opinion of India, for he thought he did, but he deeply regretted that he should rise in this House and insult his hon. friend the Member for Merthyr Tydvil.

*Mr. REES, on a point of order, said that the hon. Member himself took no exception to his words, and inquired whether it was competent for another hon. Member to do so.

*Mr. SPEAKER said there was no ground for his interference.

Sir H. COTTON said he did not object to anything the hon. Member might say about him. He had very often been the subject of impertinent criticisms on the part of the hon. Member; but when he denounced his hon. friend the Member for Merthyr Tydvil as the cause of the unrest in India——

*Mr. REES: One of the causes.

Sir H. COTTON said he considered that it was a gross insult and entirely unjustifiable. If time allowed him he would proceed to record his reasons why he should be prompted to give his vote in favour of the Amendment which was before the House.

Mr. Buchanan rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 118; Noes, 53. (Division List No. 434.)

AYES.

Acland, Francis Dyke
Allen, Charles P. (Stroud)
Armitage, R.
Balfour, Robert (Lanark)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Bennett, E. N.
Berridge, T. H. D.
Brigg, John
Brooks, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Causton, Rt. Hn. Richard Knight
Cleland, J. W.
Clough, William
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cox, Harold
Crosfield, A. H.
Crossley, William J.
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Edwards, Sir Francis (Radnor)
Essex, R. W.
Esslemont, George Birnie
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Fletcher, J. S.
Fuller, John Michael F.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Goddard, Sir Daniel Ford
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Higham, John Sharp
Hobhouse, Charles E. H.
Holt, Richard Durning
Hooper, A. G.
Houston, Robert Paterson
Idris, T. H. W.
Illingworth, Percy H.
Jardine, Sir J.
Jones, William (Carnarvonshire
Kearley, Sir Hudson E.
Kekewich, Sir George
Keswick, William
Kilbride, Denis
Kimber, Sir Henry
Kincaid-Smith, Captain
Lamont, Norman
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
MacCaw, William J. MacGeagh
Maclean, Donald
M'Callum, John M.
M'Crae, Sir George
Marnham, F. J.
Masterman, C. F. G.
Micklem, Nathaniel
Montagu, Hon. E. S.
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
O'Brien, Patrick (Kilkenny)
Pearce, Robert (Staffs, Leek)
Price, C. E. (Edinb'gh, Central
Radford, G. H.
Rainy, A. Rolland
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Rogers, F. E. Newman
Rowlands, J.
Russell, Rt. Hon. T. W.
Samuel, Rt. Hn. H. L. (Cleveland)
Samuel, S. M. (Whitechapel)
Seely, Colonel
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Soares, Ernest J.
Strachey, Sir Edward
Stuart, James (Sunderland)
Sutherland, J. E.
Tennant, Sir Edward (Salisbury)
Tennant, H. J. (Berwickshire)
Thorne, G. R. (Wolverhampton)
Toulmin, George
Verney, F. W.
Walton, Joseph
Warner, Thomas Courtenay T.
Watt, Henry A.
White, Sir George (Norfolk)
White, J Dundas (Dumbart'nsh.
White, Sir Luke (York, E. R.)

Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilson, Hon. G. G. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N)
Bowerman, C. W.
Brace, William
Byles, William Pollard
Cave, George
Cecil, Evelyn (Aston Manor)
Cotton, Sir H. J. S.
Courthope, G. Loyd
Crean, Eugene
Delany, William
Dilke, Rt. Hon. Sir Charles
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, Robert (Lanark, Govan
Fell, Arthur
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Guinness, W. E. (Bury S. Edm.)
Gwynn, Stephen Lucius
Hardie, J. Keir (Merthyr Tydvil)
Hills, J. W.
Hodge, John
Hudson, Walter
Jenkins, J.
Jowett, F. W.
Lane-Fox, G. R.
Macdonald, J. R. (Leicester)
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
Meysey-Thompson, E. C.
Morrison-Bell, Captain
Nannetti, Joseph P.
Nolan, Joseph
O'Connor, T. P. (Liverpool)
Reddy, M.
Richards, T. F. (Wolverh'mpt'n
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield, Ecclesall)
Roche, John (Galway, East)
Rutherford, W. W. (Liverpool)
Seddon, J.
Smith, Abel H. (Hertford, East)
Summerbell, T.
Talbot, Lord E. (Chichester)
Taylor, John W. (Durham)
Thomson, W. Mitchell- (Lanark)
Valentia, Viscount
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Dr. Rutherford and Mr. Mackarness.

Question, "That the word 'now' stand part of the Question," put accordingly, and agreed to.

Main Question put, and agreed to.

Bill read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Buchanan.*)

BUXTON CHARITY BILL.

Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease.*)

LONG ASHTON CHARITY BILL.

Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease.*)

ABBOTS BROMLEY CHARITY BILL.

Read a second time.

Bill committed to a Committee of the Whole House for To-morrow.—(*Mr. Joseph Pease.*)

ELEMENTARY EDUCATION (ENGLAND AND WALES) BILL.

Order for Committee read, and discharged. Bill withdrawn.

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twelve minutes after Eleven o'clock.

HOUSE OF LORDS.

Tuesday, 8th December, 1908.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

PETITION.

EDUCATION (SCOTLAND) BILL.

Petition for Amendment of; of school board of burgh of Perth; read, and ordered to lie on the Table.

INCEST BILL.

Reported from the Standing Committee with Amendments. The Report of Amendments to be received To-morrow; and Standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. [No. 240.]

WHITE PHOSPHOROUS MATCHES PROHIBITION BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

THE LORD STEWARD (EARL BEAUCHAMP): My Lords, this Bill, although it is now printed and on the Table of your Lordships' House, was, by some mistake, not circulated with this morning's Papers. I do not want to seem to be urging your Lordships to give a Second Reading to a Bill which you have had no time to consider, and therefore I should be quite willing to postpone the Bill if that were considered by any noble Lord a desirable course to take. In the absence, however, of any hint on the subject, perhaps I may be allowed to move the Second Reading to-day, giving your Lordships ample time to consider the Bill before the next stage is taken.

The origin of this Bill was the International Conference which took place at Berne in 1906, when a Convention was signed by the representatives of Germany, Denmark, France, Italy, Luxemberg, the Netherlands, and Switzerland agreeing to prohibit in their countries both the manufacture and sale of matches containing white phosphorus. His Majesty's Government did not see their way to sign that Convention for reasons into which I need not enter this afternoon, as I have already had an opportunity of explaining the matter in your Lordships' House in reply to the noble Earl, Lord Lytton.

A new position has now been created. Representations have been made to the Home Office, on behalf of all the manufacturers of matches in the United Kingdom, that if the importation of matches made abroad with white phosphorus is prohibited by law they would be willing that the use of that material in the manufacture of matches in this country should be forbidden. In 1907 some 10,000,000 gross of boxes of phosphorus matches were imported into this country, and of that total 6,000,000 gross were safety matches; but of the remaining 4,000,000 gross probably the bulk were made with white phosphorus. By the fourth clause of the Bill manufacturers will be compelled—they have already offered to do so—on such reasonable terms as the Home Office and the Board of Trade may approve, to grant licences for the manufacture of "strike anywhere" matches by any process which is patented at the time of the passing of the Bill. I do not think, therefore, that there will be any increase in the cost of the manufacture of these "strike anywhere" matches. In these circumstances, and especially in view of the fact that this Bill will go far to prevent the danger of cases of phossy jaw occurring among match makers in the future, I hope your Lordships will agree to the Motion for the Second Reading.

Moved, That the Bill be now read 2^a.—(*Earl Beauchamp.*)

On Question, Bill read 2^a (according to order), and committed to a Committee of the Whole House on Monday next.

THE DECLARATION OF THE SOVEREIGN.

*LORD BRAYE: My Lords, I rise to ask His Majesty's Government whether they will undertake to introduce into Parliament a measure to abolish the oath or declaration imposed by statute on the Sovereign on meeting his or her first Parliament, that is to say, a declaration wherein he or she invokes Almighty God to bear witness that certain doctrines held by the great majority of Christians not only as awful, sacred, and stupendous but also as vital and fundamental, are false.

This Question is identical with one which I asked in your Lordships' House seven and a half years ago, when it gave rise to a long debate, which resulted in the matter being referred to a Committee. That Committee was a very historical Committee. It was noted for having given only twenty minutes to the consideration of a question which had been of importance for 200 years. The outcome of their labours was the introduction, by the late Lord Salisbury, of a Bill which was distasteful to the majority of your Lordships—distasteful to those members of the Church of England who felt strongly on the subject, and distasteful to all those who, like myself, belong to the Roman Catholic Church. That Bill, like so many other Bills, foundered in your Lordships' House. Then there was a Bill introduced by myself to abolish, not to modify, the oath or declaration, but that Bill also foundered. Seven years have elapsed, and so far as I can see there is now no prospect of the consideration of the subject being renewed unless an individual Member of the House like myself ventures to press it on the attention of the Government. Attempts have been made from time to time in another place to deal with this painful matter, but I am not aware that any Bill relating to it has been pressed to a Second Reading.

This seems to me to be eminently a matter which should be considered in your Lordships' House. It should not be left to an individual Member of either House, but should be boldly brought forward by the Government of the day. The Government which was in power in 1901 was of a very different constitution from the present Government, but whether the Government in office be Conservative or Liberal, I apprehend that this matter is distasteful to both. The subject is one which everybody is sorry should be raised and discussed, except those who feel deeply and intensely concerning it. Those persons are in a minority—but, I venture to say, a strong minority—not only in both Houses of Parliament but throughout the country. It is a matter which everybody in and out of Parliament wishes to see settled without further discussion, and I submit that the only means of settling it will be the absolute abolition of the statute, which was described by the late Lord Salisbury as a stain on the Statute-book. That was exceedingly grave language for the Prime Minister to use in Parliament. A stain on the Statute-book!

As your Lordships are aware, the declaration is part and parcel of those savage enactments which were passed by Parliament in a very savage age compared with our own—in the latter years of Charles II., when the blood of Catholic martyrs was poured out all over England, when the nation was divided into two hostile camps and religion and politics were almost inseparable in the history of nations. By this Act of Charles II., one person, the Duke of York (afterwards James II.) wae excepted from its operation by a special clause, but in the first year of William and Mary the general declaration or oath was enacted as obligatory on all future sovereigns. All the other savage enactments have been from time to time repealed or modified. The first great repeal was in the time of George III. Those terrible laws which had been crushing out Roman Catholic life in England and Ireland, and had resulted in imprisonment and death by hanging, in this country rarely, but in Ireland often, were finally repealed, I think, in the year 1779; but many years passed before Catholic emancipation took place. In 1829, the first year of Catholic liberty, six Peers were admitted within the precincts of this Chamber and took the oath of allegiance. In spite of all these changes, in spite of the religious liberty of which we boast, this peculiar and stern enactment remains as a stain upon the Statute-book. I hope His Majesty's Government will consider the propriety of dealing with it as soon as possible. If they do so boldly, I venture to say that they will meet with very little opposition in the country.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, this subject of the declaration made by the Sovereign on the first occasion of his or her meeting Parliament is one which has engaged the attention of this House on several occasions in past years, and those of your Lordships who took part in the discussions, or even remember what occurred, under the Government of the late Lord Salisbury will agree with me as to the extreme difficulty which surrounds it. At that time, with every good will on all sides of the House—and I am quite certain that that good will did exist—it was not found possible to arrive at any solution of the question. I am able to say that the possibility of arriving at a solution of it is one which has engaged the attention of His Majesty's Government for some time past. We have had the question under our consideration, and I hope it may be possible for us to submit, before very long, some proposition with that object. Pending any submission of that kind from the responsible advisers of the Crown, I should venture to hope that the matter might not be made the subject of discussion here. It is one of extreme delicacy and difficulty, and, when we are able to put our proposition forward, as I hope we may be, I am quite certain we shall have the co-operation of noble Lords opposite if we are able to place it in a form which will produce a satisfactory solution of the question. That is all I am able to say at present, and I hope that, so far as it goes, it is satisfactory to the noble Lord opposite and to other noble Lords of his faith.

THE DUKE OF NORFOLK: My Lords, I have no wish to say anything which may make an extremely delicate and difficult task more difficult for the Government, but I hope I may be allowed to express my very great satisfaction, a satisfaction which I am sure will be shared by my co-religionists throughout the country, at hearing that the Government have the courage boldly to face this very difficult subject. I may remind your Lordships that a Bill dealing with various points, one of which was the question of the Royal declaration, has been lately introduced in another place; it was challenged on First Reading, but was read a first time by an overwhelming majority. I hope that is a good omen that there is a friendly and gracious feeling on the part of our countrymen and a desire to view with a wide mind and generous spirit the opportunity of removing what the late Lord Salisbury called a stain from the Statute-book, and what everybody admits is a gross insult to many subjects of the Crown. I do not wish in any way to pin the Government to more than they have said, but I am sure we are all grateful to know that this matter is really being considered, and I hope that at an early date next session the Government will let the consideration which they are giving to the matter take practical form.

*THE MARQUESS OF LANSDOWNE: My Lords, after what has fallen from the noble Earl who leads the House, and after the remarks of the noble Duke behind me, I think most of your Lordships will be of opinion that no good purpose will be served by further discussion this evening of this extremely difficult and controversial subject. The noble Earl reminded us that on former occasions there has been a very general desire in this House to bring about some change in the wording of the Royal Declaration which might have the effect of removing from it any expressions needlessly offensive to His Majesty's Roman Catholic subjects, without, on the other hand, doing violence to the feelings of the Protestant community. The utmost goodwill was, I think, shown to proposals of this kind, but, on the other hand, it is true that, even at the moment when there seemed to be every prospect of a solution, difficulties which proved insurmountable manifested themselves. The question is, clearly, one which can be dealt with only by and upon the responsibility of His Majesty's Government, and, as we now learn from the noble Earl that they have considered this matter, and that they are prepared next session to come to Parliament with proposals affecting it, I think there can be no doubt that it is best that your Lordships should await those proposals, for which we can promise the most benevolent consideration.

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REGULAR OFFICERS AND THE TERRITORIAL FORCE.

*LORD HAVERSHAM: My Lords, I rise to ask the Under-Secretary of State for War whether it is the intention of the War Office to exclude service in the Territorial Force from qualifying officers for pension who have retired from the Royal Artillery, and are attached to batteries of the Territorial Force, who would be able to qualify either by service in the Special Reserve or in the Irish Horse. I hope I may be allowed to say a few words in explanation of the difficulty which has arisen, and which is capable of very easy solution. I am sure I shall carry your Lordships with me when I say that it is of the utmost importance that the new batteries of the Territorial Force should have the advantage of being commanded by officers who have already served in the Royal Artillery. The County Association, of which I am chairman, was called upon to raise a Horse Artillery battery. Ours is an agricultural county, but we met with very great success mainly through the kindness of the Secretary of State for War, who, at my request, supplied us with two guns, which are stationed at Reading and Windsor. These have brought in a great number of recruits; and we have also been fortunate in securing the services of Captain Mayall, who has served in Field and Horse Artillery, and who, with great readiness, left the Lancashire Militia to come to us a short time ago. We have since found, to our great distress, that this officer will forfeit his pension, as he is now serving in the Territorial Force. The most extraordinary part of the anomaly is that he would have been able to retain his pension if he had gone into the Yeomanry. I ask any noble Lord who is acquainted with military affairs whether there is any comparison between the importance and usefulness of an officer commanding a battery in the Territorial Army, and that of a mere subaltern in the Yeomanry. I can only conclude that the regulations with regard to the Territorial Force are not yet perfected. Article 510, under which these pensions are granted, runs—

> "A captain or lieutenant, of not less than eight years service, may be permitted to retire from our Regular Forces on being appointed to a commission in the Militia or Imperial Yeomanry. While serving in the Militia or Imperial Yeomanry under such commission, he shall, for a period not exceeding ten years, receive temporary retired pay at the rate of £100 a year, in lieu of all retired pay or gratuity under this our warrant."

That is the pension which this officer will forfeit. It is essential that at the birth of the Territorial Force everything possible should be done to promote its efficiency, and it would be a great blow to us if Captain Mayall had to resign because service in the Territorial Force was excluded from qualifying for this pension.

THE UNDER-SECRETARY OF STATE FOR WAR (Lord LUCAS): My Lords, Article 510 of the Pay Warrant to which my noble friend has referred is, I regret to say, still in an unamended state. The position is this. Officers who had served for eight years in the Regular Army were previously permitted to join the Militia or the Yeomanry in order to serve for pension—that is to say, that for a period not exceeding ten years they drew £100 for every year that they attended camp with the unit which they had joined. Those officers could only be considered as belonging to the reserve of officers. They had passed through the Regular Army, and, under normal conditions, would go into the reserve of officers. That is the view we take. We now say that those men ought to become Special Reserve officers, and the Pay Warrant, when it is amended, will make it possible for them to go either into the Special Reserve or into the Irish Horse, which is part of the Special Reserve. We do not propose to alter what was the condition previously. Before the Territorial Army came into existence these officers were not allowed to join the Volunteers for the purpose of serving for a pension, and we do not propose, at present, at any rate, to extend the privilege to the Territorial Army. We consider that, until our new scheme of providing officers for the Special Reserve is giving us a sufficient number of officers, the place of the men referred to is the Special Reserve, where at present their services would be of the greatest use. The delay with regard to making this announcement has made itself felt in the case which my noble friend quoted. The officer to whom he referred gave up his commission in the Regular Army and joined the Militia on the understanding that he would be permitted to draw his pension, and it was because he left the Regulars on those terms that his was made a special case and he was permitted to remain and draw his £100 a year. We do throw one or two appointments in the Territorial Army open to officers under this head, and a certain number of staff appointments in the Territorial Army can be included in this category—namely, if an officer becomes a brigade major of Infantry or Yeomanry or staff captain of divisional Artillery; but for the command of a battery it is not at the present time open. We ourselves do not think it will be proved that it is not possible to find perfectly capable civilian officers as battery commanders, and it is our hope that such will be forthcoming.

*LORD HAVERSHAM: I assume then that until the Special Reserve is filled up the Territorial Force will have no assistance whatever from officers experienced in the Regular Artillery?

LORD LUCAS: The position in regard to this class of officer is that if he leaves after fifteen years service he is entitled to a pension. If he leaves after between eight and ten years he is not entitled to a pension, but if he joins either the Special Reserve or the Irish Horse he is entitled to serve for ten years and draw £100 a year for every year he goes into camp. That class of officers, however, has been small, and we would get few if this opportunity was given them.

LORD GRENFELL: My Lords, I happened to be at the War Office when this arrangement was made, and the object was to strengthen the ranks of the Militia. A great many of these officers left the service in order to take these Militia appointments, and with a view of getting the £100 a year. We are all fully aware that what does really need stiffening in the Territorial Force is the Artillery. It is of enormous advantage to secure in the Artillery batteries, the Horse Artillery especially, of the Territorial Force commanding officers who have been in the Royal Artillery. I think it would be almost impossible for an officer who had not served in the Regular Artillery to command a battery of Horse Artillery with credit, or to make his battery efficient. I therefore hope that some means may be found of meeting the point raised, so that we shall not lose the advantage of having capable Artillery officers in the Territorial Force.

STATUTE LAW REVISION BILL [H.L.]

Amendments reported (according to order), and Bill to be read 3ª To-morrow

PREVENTION OF CRIME BILL.

Brought from the Commons, read 1ª; to be printed; and to be read 2ª on Thursday next (The Lord Steward (*E. Beauchamp*.) (No. 241.)

House adjourned at Ten minutes past Five o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Tuesday, 8th December, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Water of Leith Purification and Sewerage Order Confirmation Bill—" to confirm a Provisional Order under the Private

Legislation Procedure (Scotland) Act, 1899, relating to Water of Leith Purification and Sewerage," presented by Mr. Sinclair; and ordered (under Section 9 of the Act) to be read a second time upon Wednesday, 16th December, and to be printed. [Bill 397.]

PETITIONS.

ULLAPOOL TO GARVE.

Petition from Lochbroom and other places, for construction of a railway; to lie upon the Table.

WOMEN'S ENFRANCHISEMENT.

Petition from Brentford and other places, for legislation; to lie upon the Table.

WOMEN'S ENFRANCHISEMENT BILL.

Petition from North Kensington, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

CENSUS OF PRODUCTION ACT, 1906.

Copy presented, of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

FAIR WAGES COMMITTEE.

Copy presented, of Report of the Fair Wages Committee, with Appendices and Minutes of Evidence [by Command]; to lie upon the Table.

NATIONALITY AND NATURALISATION (MISCELLANEOUS, No. 9, 1908.)

Copy presented, of Despatch from His Majesty's Chargé d'Affaires at Rio de Janeiro, inclosing a Translation of Decrees regulating the Naturalisation of Aliens in Brazil [by Command]; to lie upon the Table.

PAUPERS AND DEPENDENTS (SCOTLAND).

Return ordered, "showing the number of all ordinary Poor and their Dependants chargeable to Parish Councils in Scotland during the year ended the 15th day of May, 1908, including Poor relieved whose settlements were undetermined at the 15th day of May, 1907, classified in the following forms: (1) Aggregate period of chargeability and number of times relieved, distinguishing (*a*) persons relieved wholly in institutions; (*b*) persons relieved wholly outside institutions; (*c*) other persons relieved; and also distinguishing, in the case of each of these classes (1) male adults; (2) female adults; (3) children.

Aggregate period of chargeability of individual paupers during the year.	Paupers.						Dependants.					
	Number of times chargeable during the year.						Number of times chargeable during the year					
	1.	2.	3.	4	5 or more.	Total.	1.	2.	3.	4.	5 or more.	Total.
Not exceeding one week												
Over 1 week and not exceeding 4 weeks - -												
Over 4 weeks and not exceeding 13 weeks -												
Over 13 weeks and not exceeding 26 weeks -												
Over 26 weeks and not exceeding 39 weeks -												
Over 39 weeks, but less than one year - -												
Whole year - - -												
Total -												

(2) Ages and sex, distinguishing (*a*) persons relieved singly; (*b*) families—(1) heads of families, (2) dependants.

Age Groups.	Males.	Females.
Under 3 years - - - - - -		
3 years and under 14 years - - - -		
14 years and under 16 years - - - -		
16 years and under 20 years - - - -		
20 years and under 25 years - - - -		
25 years and under 35 years - - - -		
35 years and under 45 years - - - -		
45 years and under 55 years - - - -		
55 years and under 60 years - - - -		
60 years and under 65 years - - - -		
65 years and under 75 years - - - -		
75 years and upwards - - - - -		
Total - - - -		

—(*Mr. Sinclair.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Irish Auxiliary Postmen.

MR. WILLIAM REDMOND (Clare, E.): To ask the Postmaster-General whether he is aware that an unestablished postman at Quin, County Clare, works more than eight hours a day, but is denied an opportunity of being placed upon the established staff on the ground that he is neither an ex-telegraph messenger nor an ex-soldier; and whether in view of the recommendation of the Hobhouse Committee on auxiliary labour in Ireland, and seeing that the extent of the postman's duties is due to the natural growth of postal work, he will issue instructions that this postman be either placed on the established staff or, if that be impossible, treated as a full-time unestablished man.

(*Answered by Mr. Sydney Buxton.*) The postman referred to has been employed since June, 1904, on an auxiliary post, occupying three hours fifty minutes a day; since June last he has also been temporarily employed on a vacant auxiliary post occupying four and a half hours a day. This temporary addition to his work cannot be regarded as due to the natural growth of his duties; and, under a revision of the postal arrangements at Quin which has recently been sanctioned, I regret I cannot do more than offer him employment on a part-time post.

Handling of Foreign Wools and Goats Hair—Precautions against Anthrax.

MR. BRIGG (Yorkshire, W.R., Keighley): To ask the Secretary of State for the Home Department if, in consequence of the Report of the Anthrax Committee of the Bradford Chamber of Commerce, which points to the fact that the germs of anthrax are to be found in blood stains only, he can relax any of the regulations now in force for the sorting and handling of foreign wools and goats' hair.

(*Answered by Mr. Secretary Gladstone.*) The investigations of the Anthrax Board are not yet completed, and it will be seen, on referring to page 9 of their Report, that dust is still recognised as a source of danger. It would therefore be premature to propose any alterations in the existing rules at the present time. Relaxations may not prove to be practicable.

British Capital Invested in India.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Under-Secretary of State for India whether he will state approximately or otherwise what is the total amount of British capital invested in India, divided into the direct funded obligation of the Indian Government in sterling and in rupees, with the total of the two combined set forth in sterling; the entire amount of capital sunk in railways, including the capitalised value of the railway annuities and the moneys spent by companies over and above the sums for which the Government is responsible; the capital spent in irrigation works, and how provided; the capital of joint stock enterprises in India carried on by British companies; and whether the Secretary of State for India will give a complete exhibit of the annual charges laid upon India for interest on the Government debt, for railway profits remitted above and beyond the charges borne by the State, and private remittances of profits and savings.

(*Answered by Mr. Buchanan.*) The figures asked for are as follows—

	Rupees.	£	£
I. Debt—			
(a) Sterling loans (funded debt) on 31st March, 1908			157,481,074
(b) Rupee loans—			
(1) Held in England	15,24,15,600 =	10,161,040	
(2) Held in India	1,17,58,79,355 =	78,391,957	
Total	1,32,82,94,955 =	88,552,997	88,552,997
Total of (a) and (b)			246,034,071

Of this total £206,109,125 has been incurred for public works, viz.:—£176,608,248 for railways and £29,500,877 for irrigation works.

II. Capital expenditure on Railways—	£
(a) Capital expenditure by the State on the construction and purchase of lines (excluding purchase by annuities). (See I., above, to 31st March, 1908)	176,608,248
(b) Capital liability represented by annuities existing on 31st December, 1907:—	
(i) Liability originally represented	70,518,797
(ii) Liability outstanding on 31st December, 1907	64,071,192
(c) Capital (including debenture capital) of Indian Railway Companies domiciled in England on 31st December, 1907	75,433,450
III. Capital expenditure on Irrigation Works up to 31st March, 1908	29,500,877

Met from loans, see I., above.

IV. Capital of Joint Stock Companies registered in India (as shown in the Finance and Commerce Statistics published by the Government of India for the year 1906–7. N.B.—British companies are not shown separately)—

Nominal.	Paid up.
Rs.74,83,39,639 = £49,889,309.	Rs.44,26,88,739 = £29,512,583.

Capital of Companies with sterling capital, other than Railway Companies, registered elsewhere than in India but working exclusively in India in 1906–7—

Nominal, £32,031,298. Paid up, £27,102,818. Debentures, £3,605,860.

V.—	£
(a) Interest on Government Debt, 1906–7	7,903,353
(b) Guaranteed interest of Indian Railway Companies, 1906–7	584,751
(c) Surplus profits of Guaranteed Indian Railway Companies, 1906–7	456,650

(d) Private remittances of profits and savings. This figure is not known.

Ex-Soldiers and Old-Age Pensions.

SIR GILBERT PARKER (Gravesend): To ask Mr. Chancellor of the Exchequer whether an old soldier who had a total service of forty-one years in the Imperial forces, and who, over a period of twenty years, had spent two years of his time in the Colonies, would be disqualified from claiming an old-age pension because of the two years absence from this country to which he had long since returned.

(*Answered by Mr. Lloyd-George.*) The decision would, under Article 29 of the Old-Age Pensions Regulations, depend upon the question whether the claimant's home was in the United Kingdom during the two years in which he was absent therefrom, not being in the service of the Crown. This is a question of fact to be determined by the Pension Committee, subject to appeal to the Local Government Board.

Import Duty on Animal Traps in Southern Nigeria.

MR. GEORGE THORNE (Wolverhampton, E.): To ask the Under-Secretary of State for the Colonies whether, in view of the fact that the manufacture of animal traps in this country is practically confined to Wednesfield, near Wolverhampton, that prior to the imposition of a prohibitory tariff on the admission of such traps into Southern Nigeria the traps despatched there constituted a large proportion of the total sale of such traps, that such tariff was imposed without any previous notification whatsoever to any of the persons concerned in the manufacture or sale of such traps, notwithstanding that similar traps are still being used in this country, Australia, and other parts of the world, and that such prohibition has resulted in leaving large stocks of traps on the hands of manufacturers and merchants, in causing serious lessening of employment in Wednesfield, involving much loss and privation to men, women, and children there, and in injuriously affecting businesses which have been carried on there for generations, he is prepared to advise the withdrawal of such tariff, or in some other way to provide relief for the loss and suffering thus occasioned.

(*Answered by Colonel Seely.*) The imposition of an increased duty on iron-toothed spring-traps was strongly advocated by the Governor of Southern Nigeria on the ground that their widespread employment by the natives entailed great cruelty to small animals, and especially to the bird-life of the Protectorate. As an example he stated that 40 per cent. of the bush-fowl shot in a certain district were found to have only one leg, the other having been torn off by a trap. The Secretary of State is aware that traps of the same kind are in use elsewhere, but it is also the fact that there is a very strong and increasing feeling against their employment in this country, and he was not prepared to overrule the Governor in this matter. The increase of duty was approved by an unanimous vote of the Legislative Council of the Colony. It is not the practice, either in Southern Nigeria or in England, to give notice of an intended increase of duties. The Secretary of State regrets that hardship should have been entailed to the manufacturers of the traps, but he is not prepared to direct the removal of the duty which has been imposed. The Governor, who is now on his way to this country, shall be further consulted on his arrival; but, for the reasons I have given, there would appear to be no prospect of any change of policy.

Chinese on the Rand.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the Under-Secretary of State for the Colonies what the last figures are as to the number of Chinese working on the Rand under the Chinese Labour Ordinance; and when the last Chinaman will cease to be so employed.

(*Answered by Colonel Seely.*) I understand that on 31st October there were 12,317 Chinese employed. The November figures have not yet reached the Colonial Office. The latest term of labour under indenture will expire in January, 1910.

Civilian Employees of the Ordnance Survey at Dublin.

MR. FIELD (Dublin, St. Patrick): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he will state, respecting the eleven civilian employees of the Ordnance Survey at Dublin who hold authority from the Director-General of the Ordnance Survey for the performance of private work during unofficial time, the position occupied by each, the rate of pay of each under Civil Service Votes, and other emoluments received by each out of money voted by Parliament.

(*Answered by Sir Edward Strachey.*) Permission to do private work to which my hon. friend refers has been given in eleven cases to six civilian employees of the Ordnance Survey. The following Table gives the particulars asked for—

Position occupied.	Rate of Pay.		Other emoluments.	
	s.	d.	s.	d.
Superintendent, Land Judge's Court surveys - - - - - - -	9	6	1	6*
Superintendent of stores - - - - -	8	–	2	3*
Examining proofs, &c. - - - -	6	3	—	
Drawing and revising I. L. C. and L. J. C. plans on the ground - - - - -	8	4	1 1	2½* 6†
Superintendent, Publication Department -	10	–	2	–*
Draughtsman - - - - - - -	5	3	—	

* Military pension.
† Allowance to L. J. C. surveyors (five days in October).

Construction of Railway between Garve and Ullapool.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, having regard to the fact that a petition, signed by nearly 200 persons resident chiefly in the Lochbroom district of Ross-shire, has been presented to the House of Commons, urging the construction of a railway between Garve and Ullapool, will he, with a view to facilitate the transit of fish to the southern markets, arrange for the necessary grant.

(*Answered by Mr. Sinclair.*) I cannot hold out to my hon. friend any prospect that the Government can find money for the construction of this railway.

Extension of Grindleton Churchyard.

MR. CLOUGH (Yorkshire, W.R., Skipton): To ask the Secretary of State for the Home Department when the yard of Grindleton parish church was last extended for burial purposes to satisfy the demands of the Home Office; and whether he has recently decided that the yard attached to the Grindleton parish church is full, that it has become necessary to provide an extension, and that if the churchyard is not extended for this purpose he will call upon the ratepayers of the parish to provide a public cemetery.

(*Answered by Mr. Secretary Gladstone.*) No demand for the extension of this churchyard has ever been made by the Home Office; and, as I have explained to my hon. friend in a letter dated the 2nd instant, I have no powers in the matter.

Irish Land Purchase.

MR. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if, in view of discussion on the new Land Bill, he will inform the House what was the average number of years purchase of rent paid in County Kildare by tenants purchasing subject to official inspection under the Purchase Acts prior to that of 1903; the amount the Leinster estate sold under the latter Act would have realised if sold in 1900 at the former average; the estimated deductions to which that amount would then have been subject in respect of payment in stock at the market price in 1900, law costs, stamp duties, and other expenses as in a normal case, and the estimated net sum the owner would have received from the sale; the amounts the owner gained by selling under the Act of 1903, in price, in bonus, in getting paid in cash instead of stock in freedom from law costs, from stamp duty, and otherwise, and the estimated total cash advantage to the vendor on the actual sale as compared with a sale at the previous average price in the county under official inspection; the aggregate amount of principal and interest respectively which the tenant purchasers would have had to pay at the previous average price in the county had they bought in 1900 and the term run its normal course; the increase of principal and of interest respectively caused by the Act of 1903; the total cash loss to the purchasers as compared with purchase under the earlier Acts; and the total additional loss sustained by the ratepayers of the county by deductions made since 1903 in respect of land purchase from funds which would otherwise have been available for local purposes.

(*Answered by Mr. Birrell.*) I cannot undertake to answer these hypothetical Questions.

Painting Limerick Barracks—Fair Wages Clause.

MR. JOYCE (Limerick): To ask the Secretary of State for War whether the contract for the painting of the military barracks at Limerick has been entered into, and, if so, will he state the contractor's name and what wages per hour, day, or week he is paying his men; have any of the local men been employed; and will the military authorities see that only the ordinary working hours of the district be observed, that no overtime will be allowed, and that no work will be permitted on Sundays.

(*Answered by Mr. Secretary Haldane.*) The painting at Limerick Barracks is being executed by Messrs. Arundel. So far as can be ascertained, they are paying the current rates of wages. The contract imposes no conditions as to the source from which the employees are to be drawn, but the firm are believed to employ local labour to some extent. No Sunday work is done, but a certain amount of overtime is necessary, as the barracks are in occupation and the completion of the painting of rooms cannot be delayed. If my hon. friend will furnish me with any specific complaint that the conditions of the contract are not complied with they will be immediately investigated.

Pay of Workmen Writers at Island Bridge, Dublin.

MR. FIELD: To ask the Secretary of State for War whether he is aware that quite recently a workman writer employed in the Army Ordnance Department at Island Bridge, Dublin, resigned his position, and gave as his reason for so doing that he was taking up a similar position which was more remunerative in another military department at Island Bridge; and, in view of this, will he see that the rates of pay for workmen writers are revised up to a living standard.

(*Answered by Mr. Secretary Haldane.*) I have no knowledge of the circumstances mentioned. The fact that a workman writer left in order to take a better paid post, even in another Army Department, does not seem to me to prove that his wages were below a living standard. I hope, however, to be able to give some increase in the maximum of these writers from the beginning of the next financial year.

Pay of Workmen in the Royal Infirmary, Dublin.

MR. FIELD: To ask the Secretary of State for War whether the men employed at the Government laundry at the Royal Infirmary, Dublin, receive 20s. a week as wages; and whether, seeing that men in private laundries similarly employed in Dublin receive wages higher than 20s. a week, he proposes to take any action in this matter.

(*Answered by Mr. Secretary Haldane.*) Inquiry is being made into the matter, and I hope to be able to inform the hon.

Member of the action taken at an early date.

Pay of Tailors and Viewers at Army Ordnance Department, Dublin.

Mr. FIELD: To ask the Secretary of State for War whether tailors are employed in the Army Ordnance Department at Island Bridge at a less rate of wages than 33s. a week, which is the trade union rate; whether there is a difference of 15s. a week in the wages of viewers at the same place; and, if so, whether he proposes to take any action in the matter.

(*Answered by Mr. Secretary Haldane.*) There is only one tailor employed at Island Bridge, and his wages are 27s. a week. I have no reason at present to think that rate inadequate, but am making further inquiry. The difference in pay of viewers is accounted for by the difference in their duties.

Strength of Army Infantry Reserve.

Mr. ASHLEY (Lancashire, Blackpool): To ask the Secretary of State for War what is the number of infantry soldiers in the Army Reserve at the present time, irrespective of Special Reservists.

(*Answered by Mr. Secretary Haldane.*) The latest figures available are those for 1st November, when the total stood at 81,430.

QUESTIONS IN THE HOUSE.

Mr. ARTHUR LEE (Hampshire, Fareham): I beg to ask the First Lord of the Admiralty whether his attention has been drawn to the conditions and specifications for the works at Rosyth as issued to the competing contractors; whether he is aware that under those conditions it must be at least six years before even one graving dock can be available for the use of the Fleet; whether he is aware that the plans also provide that the Admiralty may defer giving the order for the second graving dock for three and a half years; whether it is possible to modify these plans so that the construction of these docks may be commenced immediately, and may proceed simultaneously with the construction of the closed basin, instead of being deferred until the latter is completed; and can he state what steps the Government propose to take to provide for the docking of His Majesty's ships of the "Dreadnought" or larger types on the East Coast pending the completion of the Rosyth works.

The FIRST LORD of the ADMIRALTY (Mr. McKenna, Monmouthshire, N.): The reply to the first part of the hon. Member's Question is in the affirmative. With regard to the second part, the time for finishing the contract is seven years, but there is no limit to the amount of bonus which the contractor can earn for earlier completion. If the second dock is ordered within three and a half years, it must be completed at the same time as the remainder of the contract. The hon. Gentleman, from his experience at the Admiralty, will be aware that the lock, basin, pumping stations, caissons, etc., must be completed before any dock can be available. The question of other docks on the East Coast is engaging the attention of the Admiralty. I would remind the hon. Member that the design for the "Dreadnought," was passed in March, 1905, when he was himself the member of the Board of Admiralty responsible for works.

Mr. ARTHUR LEE: Will the right hon. Gentleman answer my Question with regard to the first of the two docks? He only referred to the second. Are there any engineering difficulties which would prevent the construction of the first of these docks simultaneously with the construction of the closed basin, as was done in the case of Keyham and other works of a similar nature?

Mr. McKENNA: I think that is answered in the part of the reply in which I say that "the hon. Gentleman, from his experience at the Admiralty, will be aware that the lock, basin, pumping stations, etc., must be completed before any dock can be available?"

Mr. ARTHUR LEE: But is the right hon. Gentleman aware that that was not the case when works were made at

Keyham? And what special engineering difficulties are there at Rosyth which would make it impossible to construct these two works simultaneously, when it has been done successfully elsewhere?

MR. McKENNA: These are matters with which I am not personally familiar. If the hon. Gentleman will put down a Question I will get a reply.

MR. ARTHUR LEE: What steps are being taken with regard to further docks on the East Coast?

MR. McKENNA: I can give no further information as to that, but the question is engaging the attention of the Admiralty at the present time.

MR. BELLOC (Salford, S.): Do these contracts include the fortification of the port?

MR. McKENNA: No, Sir.

MR. JENKINS (Chatham) inquired whether it was true that it would take six years to complete the dry dock at Rosyth, and, in view of the fact that a large number of vessels would be built of the type of the "Dreadnought," whether the right hon. Gentleman would consider the advisability of enlarging, at a much less cost than would be involved in the case of Rosyth, existing docks which had now become obsolete.

MR. McKENNA: The hon. Member is opening up a very controversial question. The matter is engaging the attention of the Admiralty.

MR. LUPTON (Lincolnshire, Sleaford) asked whether in the uncertain state of naval architecture the right hon. Gentleman had not better postpone the making of these harbours, and settle the final details of our great ships.

MR. McKENNA: No, Sir. We have already such a large number of this type of ships under construction that, whatever the future type of ships should be, we shall nevertheless require docks of this size.

MR. LUPTON: But shall we not require docks for even bigger ships?

[No Answer was returned.]

Portsmouth New Lock—Labourers' Wages.

MR. BRAMSDON (Portsmouth): I beg to ask the First Lord of the Admiralty whether, in consequence of the fact that the labourers regard as unsatisfactory the wages paid to them by the contractors for the new lock at Portsmouth, and with a view to prevent similar questions arising hereafter, both to that class and to other trades, their Lordships can see their way clear to schedule in their future contracts the rates to be payable to the various trades, after conferring as far as is practicable with the representatives of the employers and the men as to what is the fair rate of wages, respectively, current in the neighbourhood.

MR. McKENNA: All contractors are bound by the Fair Wages Clause in the contract, based on the Resolution of the House of Commons. This has been found to work satisfactorily, and after careful consideration the Admiralty think it would be inexpedient to adopt the suggestion of my hon. friend.

The Loss of H.M.S. "Gladiator."

MR. BRAMSDON: I beg to ask the First Lord of the Admiralty whether the clothing or effects of those men in the Royal Navy who were drowned or died through the collision between H.M.S. "Gladiator" and the screw steamer "St. Paul" in the Solent on 25th April last were their own private property; and, if so, why compensation has not been paid to the relatives of such men in respect of such clothes and effects where either lost, damaged, or destroyed.

MR. McKENNA: The Answer to the first part of the Question is in the affirmative. Under Article 1,548 of the King's Regulations, compensation is only given to enable officers and men to re-equip themselves for service, consequently no payment can be made to relatives.

Mr. BRAMSDON: I beg to ask the First Lord of the Admiralty whether compensation has been made to any of the surviving officers or men of H.M.S. "Gladiator" whose clothing or effects were lost, damaged, or destroyed by the collison with the screw steamer "St. Paul"; and, if so, in what cases and the approximate value thereof.

Mr. McKENNA: Compensation for the loss of uniform effects has been authorised for payment to the officers and chief petty officers concerned. The remainder of the crew have been granted a gratuitous issue of clothing, etc., in replacement of that lost. The approximate expenditure involved is £3,900.

Surgeon-Captain Swanson, Highland Light Infantry.

Mr. WATT (Glasgow, College): I beg to ask the Secretary of State for War whether his attention has been called to the case of Surgeon-Captain James Swanson, late of the 1st battalion Highland Light Infantry, whose headquarters are in Glasgow; whether he is aware that this officer had a very distinguished career of fifteen years in that regiment; that he in two successive years won the challenge shield of Great Britain, and in a third year was second for it; that he was on several occasions complimented by his superior officers for his excellent work; yet when he expressed willingness to transfer to the new Territorial Army was not recommended in July for transfer to the new force; and will he inquire into this case and find out why the Service was deprived of this officer.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): I have made inquiry into this case. The General Officer Commanding-in-Chief, Scottish Command, reports that after full consideration of the case he was satisfied that in the interests of the Territorial Force this officer ought not to be transferred to it.

Shortage of Cavalry Officers.

Sir SAMUEL SCOTT (Marylebone, W.): I beg to ask the Secretary of State for War what steps have been taken to cope with the shortage of officers in the cavalry as shown in the Return recently laid before Parliament.

Mr. HALDANE: The present shortage stands at thirty-one. The majority of these vacancies will be filled in the ordinary course. The system of appointing probationers for cavalry is being continued, but it is not expected that more than three will be appointed.

Retrenchment of the Transvaal Civil Service.

Sir GILBERT PARKER (Gravesend): I beg to ask the Under-Secretary of State for the Colonies whether, in view of the acute anxiety and disappointment felt by retrenched officials of the Transvaal administration, he can now say how many new posts have been created in the Transvaal Civil Service since the granting of responsible government; how many existing and employed officials have been transferred from other post or from obsolete posts to the new posts; how many retrenched Civil servants have been appointed to such posts; and what are the number of English and Dutch, respectively, appointed altogether.

The UNDER-SECRETARY of STATE for the COLONIES (Colonel Seely, Liverpool, Abercromby): I gave such information on this subject as was at the disposal of the Secretary of State in the course of the debate on the Colonial Office Vote, on 28th July last, when I stated that of the new appointments in the Transvaal Civil Service since General Botha assumed office, 59 per cent. had been given to English and 41 per cent. to Dutch. That statement was based on official figures, communicated to me by the Agent-General for the Transvaal, and, in reply to the hon. Member's inquiry, I am glad to give the House the actual figures, which are as follows: Of 556 new appointments in the Transvaal Civil Service made between 4th March, 1907, and 24th July, 1908, 329 were given to English and 227 to Dutch. At the last-mentioned date there were 3,870 English officers in the whole Civil Service, including police and prisons, and 737 Dutch. For reasons which I have explained in answer to previous Questions, the Secretary of State would not feel justified in asking the Transvaal Government to supplement, by further elaborate Returns, the very full information which they have already voluntarily given, but I may say generally that I have no reason to suppose that the proportion of English to Dutch officers has appreciably altered during the last few months.

SIR GILBERT PARKER inquired whether the Government realised the anxiety felt by a large number of retrenched Civil servants who were promised positions and expected when transfers were made to be given new posts.

COLONEL SEELY said the Colonial Secretary and the whole of the Colonial Office fully appreciated the anxiety of these officials, and sympathised with them, but from the figures he had given he thought it was plain that the Transvaal Government had behaved in the most correct fashion with regard to the new appointments, especially in view of the great disparity in proportion to population between the English and Dutch officials. The Government viewed the matter with great sympathy, and endeavoured to do their very best, consistent with the interests of the public service, to find places for these retrenched officials.

Persia.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for Foreign Affairs whether the Shah of Persia has republished the proclamation abolishing the constitution and refusing a Parliament, which was withdrawn upon the representations of Russia and Great Britain; and whether he can say what steps those Powers propose taking to restore the constitution.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): On 2nd December the Shah sent a message to His Majesty's Minister to the effect that the placarding of the document in question had been done entirely without his knowledge. He repeated the assurances already given, that he was resolved to keep the promise given in his Decree of 2nd October, and convoke a Medjliss suited to the needs of the country and in accordance with Mahomedan law.

DR. RUTHERFORD: Can the right hon. Gentleman say when the Parliament is likely to be convened?

SIR EDWARD GREY: No, I cannot.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the fact that a deputation of the new council of state in Teheran on 30th November interviewed the Shah in company with the dragoman of the Russian and British Consulates; and whether he can give the House any information on this incident.

SIR EDWARD GREY: I have not received any information confirming this statement.

Egyptian Participation in Internal Administration.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether he is aware that the Egyptian Legislative Council, on 1st December, unanimously adopted a Motion asking the Government of His Highness the Khedive to prepare a law conferring on the native effective participation in the internal government of the country; and whether His Majesty's Government will advise His Highness the Khedive readily to grant this reform, which was first asked for some years ago.

SIR EDWARD GREY: I have not yet received a copy of this Motion. The matter has been occupying the attention of the Egyptian Government in connection with provincial councils, and I can add nothing at present to the last statement made on the subject generally.

MR. MACKARNESS (Berkshire, Newbury): Will any statement be made to the House before the end of the session?

SIR EDWARD GREY: I have more than once this session explained the general aspect of the question. The subject of the reform of the Provincial Councils has been engaging our attention all the year.

Astrabad Disturbances.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether he can give the House any information as to the recent disturbances at Astrabad; and whether the inhabitants have revolted, closed the bazaars, and declared for the constitution.

SIR EDWARD GREY: His Majesty's Minister at Teheran reported on the 2nd instant that demonstrations in favour of the constitution had taken place at Astrabad, and that the bazaars were closed. I have no further information.

Egyptian Civil Service Pensions.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary of State for Foreign Affairs whether in view of the dissatisfaction in the Egyptian Civil Service with regard to the pensions for native officials and the opinions expressed on the subject in the Legislative Council, he will urge upon the Egyptian Government the necessity for a special inquiry into the whole question.

SIR EDWARD GREY: Sir Eldon Gorst stated in his last Report on Egypt, page 10, that a draft decree for the Amendment of the Pension Laws was to be submitted for the consideration of the Egyptian Government; and that if approved it would remove the anomalies which have caused dissatisfaction among the official class. It would, therefore, be unnecessary to address the Egyptian Government on the subject as it is already occupying their attention.

MR. J. M. ROBERTSON: Has any progress been made in the matter?

SIR EDWARD GREY: I shall soon hear the result.

Cost of Egyptian Army of Occupation.

MR. J. M. ROBERTSON: I beg to ask the Secretary of State for Foreign Affairs whether it is in contemplation, on the part of the Egyptian Government, to reduce the addition made to the costs of the Army of Occupation after the Denshawi incident in 1906.

SIR EDWARD GREY: I must refer the hon. Member to the reply returned by me on 14th May to the Question asked by the hon. Member for East Tyrone (on behalf of the hon. Member for East Mayo): the increase made in 1906 had been decided upon before the Denshawi incident took place, and there was no increase made in consequence of that incident. No change is at present in contemplation.

MR. MACKARNESS: What was the cause of the increase?

SIR EDWARD GREY: The general unrest that had existed sometime before.

The Public Trustee.

MR. BOWLES (Lambeth, Norwood): I beg to ask Mr. Chancellor of the Exchequer whether he can state the total rate at which commission is charged on dealings made in investments belonging to a trust in the Department of the Public Trustee; and what proportion, if any, of the total commission so charged accrues to the Department of the Public Trustee.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The fee charged by the Public Trustee upon making any investment is one-half per cent. upon the money invested. Out of this fee the Public Trustee pays the broker. Consequently, the proportion, if any, of the fee so charged which accrues to the Department varies according to the balance of the fee left over after the brokerage has been defrayed.

MR. BOWLES: I beg to ask Mr. Chancellor of the Exchequer whether it is part of the duty of the Public Trustee, on the constitution of any trust in his Department, to review the investments belonging to the trust in conference with the Government stockbrokers and to offer advice, though unsolicited, to those interested in the trust as to the desirability of making such changes in those investments as he may consider advantageous.

MR. LLOYD-GEORGE: The Public Trustee has no official broker, but endeavours where possible to give effect to Section 11 (2) of the Public Trustee

Act by employing the broker previously employed in the management of the trust. As regards changes of investments, the Public Trustee, in proper cases, accepts the duty laid upon a trustee to draw attention to any changes whereby the permanent stability of the trust estate may be more certainly assured and depreciation averted.

MR. BOWLES: Will the right hon. Gentleman take steps to ensure that, where the Public Trustee offers unsolicited advice, he also makes it quite clear that he is departmentally interested pecuniarily in the dealing he advises?

MR. LLOYD-GEORGE: I am not sure that I would interfere with the management of matters placed in the hands of the Public Trustee.

Old-Age Pensions and Poor Law Relief.

MR. J. MACVEAGH (Down, S.): I beg to ask Mr. Chancellor of the Exchequer if he has received resolutions from many of the public boards asking for the repeal of Section 3 (1) (*a*) of the Old-Age Pensions Act, 1908, which debars persons in receipt of poor relief from the benefits of the Act; and, inasmuch as this clause excludes the most deserving poor, will he take steps next Session to have the clause repealed?

MR. LLOYD-GEORGE: I have received a certain number of resolutions to the effect referred to. I am not at present in a position to add anything to the statements made on behalf of the Government in connection with the matter when the Bill was before the House.

MR. JOYCE (Limerick): Would any person receiving outdoor relief during the coming winter be disqualified from gaining a pension in January, 1910?

MR. LLOYD-GEORGE: Certainly they would.

Pension Committees and Pension Officers' Reports.

MR. SMEATON (Stirlingshire): I beg to ask Mr. Chancellor of the Exchequer whether, seeing that under the Departmental Instructions the report of the pension officer is subject to the approval of the supervisor, the pension committee are debarred from accepting and acting upon the pension officer's report in the absence of such approval; whether the supervisor is required or authorised, should he deem it necessary, to check the pension officer's proceedings and conclusions by independent inquiry; and whether, in the event of a difference of opinion between the pension officer and his supervisor, the committee are bound to adopt the opinion of the supervisor, or, if not, what course they are to pursue.

MR. LLOYD-GEORGE: The Departmental Instructions referred to in the Question are not binding on committees. A committee is therefore free to entertain a report from any officer who has been duty appointed by the Treasury to be a pension officer to act in the committee's district. It is for the pension officers themselves to arrange that the correct official procedure is followed. The answer to the second Question is in the affirmative. The third Question would not arise, since any difference of opinion between the junior and senior officers would be resolved in the ordinary official course before the report is presented. The committee is not of course "bound to adopt" the opinion of any pension officer, but must in all cases exercise an independent judgment.

Trade Unions and Income-Tax.

MR. GEORGE ROBERTS (Norwich): I beg to ask Mr. Chancellor of the Exchequer if he will state under what provision of the law a registered trade union is exempted from income-tax, while an unregistered trade union is denied the same privilege.

MR. LLOYD-GEORGE: The invested funds of duly registered trade unions, applied in payment of provident benefits, are exempted from income-tax under the provisions of the Trade Union (Provident Funds) Act, 1893.

Distress Through Unemployment.

MR. R. HARCOURT (Montrose Burghs): I beg to ask the President of the Local Government Board whether, even if it is not thought necessary to call for reports from all local authorities as was done in 1895, during an inquiry by a Select Committee into distress owing to lack of employment, he will, in co-operation with the Local Government Board for Scotland, consider the advisability of laying before Parliament at an early date the reports of inspectors dealing with large provincial centres, noted at page 337 of the *Labour Gazette*, as being specially subject to distress, such as Bradford, Bristol, Sunderland, and Glasgow.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The Reports which I have received from the inspectors with regard to distress arising from want of employment are confidential documents intended only for the use of the Department, and I could not properly lay them on the Table. I may add that I am in frequent communication with the local authorities of the English towns named in the Question.

MR. R. HARCOURT: Is the right hon. Gentleman aware that the Secretary of State for India has consented to lay before Parliament a Report on the relief operations there, and cannot that example be followed in this country?

MR. JOHN BURNS: There is no comparison between the circumstances of this country and the special circumstances of India. I may inform my hon. friend that, as far as London is concerned, we have weekly Returns of pauperism and county Returns monthly. Then we have the *Labour Gazette* Returns monthly, and half-yearly and annual Returns of pauperism, in addition to the annual Reports on the administration of the Unemployed Workmen Act.

Vaccination Prosecutions.

MR. LUPTON: I beg to ask the President of the Local Government Board if the inspectors of the Local Government Board are pressing for the prosecution of the parents of unvaccinated children who had not obtained exemptions before the passing of the 1907 Act; if he is aware that Dr. Farrar instructed Mr. W. W. Larkin, vaccinating officer for the Scarborough district, to prosecute poor people; and if he will instruct the inspectors of the Local Government Board not to press vaccination officers to prosecute.

MR. JOHN BURNS: It is the statutory duty of a vaccination officer to enforce the Vaccination Acts, and where he fails to perform this duty, the inspectors would call his attention to the matter. I could not undertake to instruct the inspectors in the sense suggested in the Question; but I may say that in the particular case mentioned the inspector gave no instructions for the prosecution of poor people as such.

MR. LUPTON: Have not Local Government Board inspectors been ordering vaccination officers at Halifax to prosecute poor people for non-vaccination?

*MR. SPEAKER: Notice should be given of that Question.

Rooms for Party Leaders.

MR. R. HARCOURT (Montrose Burghs): I beg to ask the First Commissioner of Works on what principle a room in the House is allotted to the Chairman of the Welsh Liberal Members and not to the Chairman of the Scottish Liberal Members.

*MR. D. A. THOMAS (Merthyr Tydvil): Before the Question is answered, may I ask whether the room is not allotted on the ground that the Chairman of the Welsh Liberal Members is the Leader of a separate or independent Party, and whether this amusing pretence has not for long been the laughing stock of the Lobby?

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): I do not know on what, if any, "principle" my predecessors acted when they made the allotment.

MR. BELLAIRS (Lynn Regis): Will the right hon. Gentleman state how long this practice has been in operation, and can he now deprive the Welsh Chairman of his room?

MR. L. HARCOURT: I do not know how long the practice has been in operation.

MR. BOWLES (Lambeth, Norwood): May I ask on what principle the right hon. Gentleman continues this allotment?

MR. L. HARCOURT: On the general principle of continuity of policy.

MR. GULLAND (Dumfries Burghs): I beg to ask the First Commissioner of Works whether he will set aside a room in the House for the Chairman of the Scottish Liberal Members as he has done for the Chairman of the Liberal-Unionist and Welsh Liberal Members.

MR. L. HARCOURT: I regret that there is no room available for this purpose.

*MR. R. HARCOURT: May I ask my right hon. friend whether he is unable to find room for my right hon. friend the Member for Clackmannan on account of his nationality or his cubic contents?

MR. L. HARCOURT: If at any future time I am able to secure accommodation that is sufficiently spacious and dignified for the present, or future, holder of the office I shall be glad to do so, but at present I have not even a cupboard available.

MR. R. HARCOURT: May I ask my right hon. friend whether he has not been influenced in his preferential treatment of the Celtic fringe by his hereditary Parliamentary connection with Wales.

MR. L. HARCOURT: Perhaps I had better have family notice of any further Questions.

Assistant Clerks' Petition to the Treasury.

MR. DELANY (Queen's County, Ossory): I beg to ask the Secretary to the Treasury if he can state when a decision may be expected on the memorial which has been before the Treasury for nearly twelve months concerning the better pay and prospects of assistant clerks.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HOBHOUSE, Bristol, E.): A Circular will be issued to public departments on this subject in the course of a few days.

Pensions and Medical Relief.

MR. J. MACVEAGH: I beg to ask the Secretary to the Treasury whether in view of the fact that Section 3 (1) (*a*) of the Old-Age Pensions Act, 1908, expressly states that any relief which by the law is expressly declared not to be a disqualification for registration as a Parliamentary elector, or as a reason for depriving any person of any franchise right or privilege, shall not be considered as poor relief, he will state on what grounds the Board of Inland Revenue has issued instructions to pension officers that persons treated in union infirmaries or hospitals are disqualified from receiving the old-age pension, seeing that it has been held in the case of *McCreery* v. *Hanrahan*, No. 16, 1887, that relief given in a union hospital was medical or surgical assistance, and therefore not a disqualification.

MR. HOBHOUSE: I understand that no general instructions have been issued but that pension officers in their reports to pension committees have treated claimants in these cases as disqualified. The decision rests, of course, not with pension officers but with the committees, subject to appeal to the Local Government Board.

MR. J. MACVEAGH: Have any instructions been issued to the effect that these applicants should be passed?

MR. HOBHOUSE: No general instructions.

MR. J. MACVEAGH: Is the right hon. Gentleman aware that the Registration (Ireland) Act specifically provides that Poor Law medical relief shall not disqualify for the Parliamentary franchise, and will he see that the law in Ireland in this respect is followed?

MR. HOBHOUSE: We can only act on the advice of the Law Officers of the Crown, which is in accordance with the Answer I have given to the Question.

MR. J. MACVEAGH: Then I will ask the Attorney-General for Ireland if the Parliamentary Registration (Ireland) Act, 1885, does not expressly lay it down that relief of this kind shall be no disqualification for the Parliamentary franchise.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): I must ask for notice of that Question. I cannot answer it off-hand.

Pensions for Wives of Paupers.

MR. J. MACVEAGH: I beg to ask the Secretary to the Treasury whether he can say under what regulation or section of the Old-Age Pensions Act the Board of Inland Revenue has issued instructions to the pension officers to the effect that the wives of persons in receipt of poor relief are disqualified from receiving an old-age pension, inasmuch as these persons do not receive the poor relief, but are merely dependent on their husbands who receive the relief, and in the local union books their names are entered as dependants and not as recipients; and whether he is aware that although the Poor Relief Act, 1 & 2 Vict. c. 56 expressly states that relief to a wife is considered the same as relief to the husband, there is no provision stating that relief to a husband is to be considered as relief to a wife.

MR. HOBHOUSE: The disqualification arises under Section 3 (1) (*a*) of the Act, His Majesty's Government being advised that for the purposes of that subsection anyone who benefits from that relief, whether the nominal recipient or not, receives such relief.

MR. JOYCE: Is the hon. Gentleman aware of the fact that when a man applies for relief of this nature his wife's name as well as his own is entered on the list, although she may not be dependent on the man? Is he also aware that the outdoor relief is very small, averaging about 2s. a week? Is it right in such a case that the wife should be debarred having an old-age pension?

MR. HOBHOUSE: The Answer I have given is of general application.

MR. J. MACVEAGH: Seeing that the wife in many cases does not get the relief, on what ground is the pension officer instructed to withhold her claim to an old-age pension?

MR. HOBHOUSE: I have already answered that Question.

MR. J. MACVEAGH: You only quoted the opinion of the Law Officers.

Estate Duty Office Clerks.

MR. THORNTON (Clapham): I beg to ask the Secretary to the Treasury whether the replacement of second division clerks in the Estate Duty Office whom it is desired to promote to the first division, but who may be transferred to other departments consequent on their inability to accept such promotion accompanied by reduction of salary, by inexperienced new entrants will result in a monetary loss to the State; and, if this be the case, on what grounds the Government is willing to incur such increased expenditure combined with loss of efficiency.

MR. HOBHOUSE: No, Sir. The cost to the Exchequer, in the circumstances contemplated in the Question, would be the same as if the new appointments in the Estate Duty Office were all filled in the ordinary course by appointments from outside at the minimum of the scale, without any offer of special promotion to the existing clerks of the second division. I have no reason to doubt that efficient candidates will be secured under the new scheme of examination.

Gillespie v. Riddell.

MR. AINSWORTH (Argyllshire): I beg to ask the Secretary for Scotland how soon he expects to be able to give any further information as to the action the Government propose to take in consequence of the decision of the House of Lords in the case of *Gillespie* v. *Riddell*.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I regret that I am not able to give a definite Answer to my hon. friend in this matter; but it is under the close consideration of the Departments concerned, and I am still receiving representations upon the subject.

MR. AINSWORTH: Is the right hon. Gentleman aware that unless the difficulty that has arisen in Scotland is dealt with before March there will be trouble in the way of renting farms next year?

MR. SINCLAIR: Yes, and the Government are anxious to come to a decision as soon as possible.

Scottish Churches Commission.

MR. WATT: On behalf of the hon. Member for Kilmarnock Burghs I beg to ask the Secretary for Scotland if he can state when the extension of time granted to the Scottish Churches Commission ends; and whether, having regard to the extensions already granted, and the dissatisfaction felt in Scotland with the prolonged delay, he will take steps to secure that no further extension shall be necessary.

MR. SINCLAIR: The extension of the Commission expires on 1st July, 1909. As already stated, and as at present advised, I understand that no further extension will be necessary.

MR. WATT: Has the right hon. Gentleman satisfied himself that there has been no purposeful or studied delay?

MR. SINCLAIR: There is no ground for that suggestion whatever, so far as I know.

Lews Parish Councils.

MR. YOUNGER (Ayr Burghs): I beg to ask the Secretary for Scotland whether he is in a position to state the result of the communication of the Local Government Board with the parish councils in the Lews; whether the financial situation there has in any way altered; and, if not, what steps have been taken for carrying on the local administration.

MR. SINCLAIR: I understand that an action has been raised in the Sheriff Court to compel payment of rates alleged to be due. In order to meet immediate financial difficulties, and as a strictly temporary measure, the Treasury have consented to guarantee an advance by the bank to enable the parish councils to discharge their necessary obligations.

MR. YOUNGER: Will the Government deal with this matter when the temporary advance is exhausted?

MR. SINCLAIR: Certainly.

Afforestry in Ireland.

MR. GINNELL (Westmeath, N.): I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether it is within his personal knowledge that the acreage stated in the agricultural statistics of Ireland for 1907 to be under woods and plantations is misleading if it implies an increase of trees in Ireland; whether he is aware that lands formerly wooded are still so classed, though few of the trees remain and the lands have grown into grass, that trees growing on fences and trees generally, have been destroyed to a greater extent than statistics show, without any proportionate planting, and that the destruction of trees is too great to be remedied by the provisions in the new Land Bill; and whether he proposes to introduce at an early date a separate non-contentious measure to encourage the planting of trees in Ireland.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.): The question of the area under timber in Ireland and the cutting down and restocking of plantations is fully discussed in the Report of the Forestry Committee and the statistics analysed and checked by the light of special surveys which the Forestry Committee caused to be made for the purpose. These investigations confirmed the substantial accuracy of the Department's statistics, and the hon. Member is referred to Part I. of the Report as the best answer to the points raised in the first part of his Question. The Report further makes it clear that the main legislative powers for a scheme of woodland protection and afforestation for Ireland already exist, and that what is required is the financial provision which would enable such a scheme to be undertaken as a reproductive State investment. Such comparatively minor legislative amendments as were recommended by the Forestry Committee are being embodied in the new Land Bill;

and the Government have under consideration measures for dealing with the financial recommendations of the Committee on an early date.

Inishkea Whaling Station.

MR. O'MALLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a Norwegian company, driven from the Donegal coast by the action of the fishermen of Donegal, has established a whaling station on the Island of Inishkea, on the Mayo coast; whether the Congested Districts Board lent their steamer, the "Granuaile," to carry this company's plant from Donegal to Inishkea, and helped to obtain for it a site for its station; whether he is aware that another Norwegian company is now seeking to establish another whaling station within a few miles of the Cleggan fishery in Connemara; whether, in view of the fact that these Norwegian whalers have been excluded from establishing whaling stations in their own country because of the injury done to their fishing industries by whaling stations on their coast, he will take steps to suppress the Inishkea whaling station and prevent similar stations along the West Coast of Ireland; and whether he is aware of the fact that the fishermen in Inishkea and Cleggan have protested to the Congested Districts Board against these stations in vain.

MR. T. W. RUSSELL: A Scottish (not a Norwegian) company has established a whaling station on one of the Inishkea Islands. The Congested Districts Board did not lend their steamer for the purpose indicated. The Board, as purchasers of the Inishkea Islands, consented to an arrangement under which a Scottish whaling company, after agreement with the tenants, established a whaling station on the Islet of Rusheen, which is close to the South Island of Inishkea. The Department are aware that a Norwegian company is seeking a site for a whaling station on the coast of the county of Galway. Under the Whaling (Ireland) Act, 1908, which comes into operation on 1st January next, no whaling station can be worked in Ireland without a licence from the Department. The Act provides that before such licence is issued all persons interested shall have an opportunity of making objections to the grant thereof.

Irish Charity Commissioners.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the annual Report of the Commissioners of Charitable Donations and Bequests for Ireland, signed by themselves, shows that some of them have not attended a meeting of their body for at least twelve months; and, having regard to the patronage and power which control of £1,000,000 worth of scattered property carries with it, and the unsatisfactory state of the Commissioners' accounts so far as disclosed, will he say how long a Commissioner may absent himself from meetings before his commission is withdrawn.

I beg also to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the latest audited accounts of the Commissioners of Charitable Donations and Bequests for Ireland, and the Commissioners of Education, which the auditor declared to have been carefully prepared and vouched in a most satisfactory manner, contained statements of local payments which were in fact not made in that year, and that similar statements contained in previous audited accounts year after year have in fact never been made; and whether he will ascertain from the auditor how he came to declare correct accounts containing fictitious payments.

I beg further to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain and state the gross value of the property now vested in the Commissioners of Charitable Donations and Bequests for Ireland and the Education Commissioners respectively, the approximate value of property not vested in them but under their control, and the total amount dealt with by each of those bodies in the last financial year; what the Commissioners' reason is for withholding this information hitherto; and if they persist in withholding it, whether he will have their accounts examined by an independent accountant and the result presented to this House.

THE CHIEF SECRETARY FOR IRELAND (Mr. Birrell, Bristol, N.): As regards the attendances and property of the Commissioners, I would refer the hon. Member to my Answers to his previous Questions. The Commissioners and the auditor inform me that there is no foundation for the allegation that the accounts contain statements of payments not actually made.

Irish Government Auditors' Reports.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will explain the nature of the Report a Government auditor in Ireland makes to the authority appointing him; in what manner, if at all, it brings under that authority's notice unusual, obscure, or dubious practices, and enables the appointing authority to form an opinion of the regularity of the accounting body and the efficiency of the auditor; and how it happens that alleged payments in fact never made, and unvouched, are constantly passed by those auditors as correct, and that while some local governing bodies have been for years getting their legal work done by contract, and some by a mixed system with the risk of overlapping and double payments, the Local Government Board declare they do not know that the legal work can be done in that way, and that they have no information as to the practice.

Mr. BIRRELL: In reporting on the accounts of a local body, an auditor certifies as to payments being duly authorised and vouched, makes surcharges or disallowances in cases of irregularity or illegality, and calls attention to any practice likely to lead to irregularity. The auditors' reports are furnished to the local authorities in all cases. The Local Government Board are not aware that any irregular or unvouched payments are passed by auditors, and they have no knowledge of the declaration attributed to them.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is within the duty of an auditor to detect and report to the Local Government Board illegitimate methods used to procure contracts from local administrative bodies; what action that Board take on such a Report; what action, if any, have they taken in the recent case in which a governor of Mullingar District Lunatic Asylum was the real contractor for supplying certain goods to that institution while the nominal contractor was a pauper in Mullingar Workhouse; and why the Board do not, in the interest of the ratepayers, permanently preclude from contracting a person who makes such practices his profession.

Mr. BIRRELL: Local Government Board auditors report matters of the kind referred to in the first part of the Question when they come officially under their notice. The auditors' reports are communicated to the local authorities concerned, who are required to publish them for the information of the ratepayers. No evidence as to the case referred to in the Question has come under the notice of the Local Government Board, and that Board have no power to act as suggested.

Irish Non-Judicial Rents.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will, on behalf of the ratepayers of Ireland who are ultimately liable, ascertain from the Estates Commissioners the data, other than the liability of the ratepayers, from which they calculate when they sanction the advance of twenty-two years purchase of non-judicial rents to a vendor in cases in which the Land Commission prior to 1903 refused to sanction the advance of sixteen years purchase; and on what grounds the Commissioners and their valuers, in determining prices in cases not within the zones, have changed the basis of calculation from the value of the landlords' interest, which alone is for sale, to the possibility of recovering the money from any source.

Mr. BIRRELL: In sanctioning advances applied for in purchase agreements entered into between a landlord and his tenants under the Irish Land Act, 1903, the Estates Commissioners act in accordance with the provisions of the Statute as judicially interpreted.

Cost of Teaching Irish.

Mr. MACCAW (Down, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the fact that the expenditure by way of extra fees for the teaching of Irish in National Schools is not specifically disclosed in the Estimate for public education, he will arrange, in consultation with the Treasury, for the introduction in the Estimate for 1909–10 of a sub-head which will set forth this information.

Mr. BIRRELL: I will communicate with my hon. friend the Secretary to the Treasury on the subject.

Royal Irish Constabulary.

Captain CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will consent to receive a deputation representative of the rank and file of the Royal Irish Constabulary before proceeding further with the Bill dealing with that force.

Mr. BIRRELL: A member of the Royal Irish Constabulary has full liberty to make a representation through the proper official channel on any matter affecting his interests. I shall be glad to receive and consider any such representations, but I am not prepared to depart from the established practice by receiving a deputation.

Irish Outrages.

Mr. MACCAW: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the sworn statement of District Inspector John M'Nally, at the Kilrush Courthouse, on 21st ultimo, that since May last several outrages had been committed on Mr. James Griffin and his friends and supporters; that on 13th June a stack of turf belonging to Patrick Langan, of Derrybrick, was burned, on 3rd August the windows of the house of Denis Ryan, Rossbeg, were smashed, and a fork and threatening notice thrown in one of them, on the 18th June hair was cut off the tail and mane of Michael M'Donnell's horse, the windows of Patrick Hogan's forge were broken on 12th August, the windows of Michael Culligan's house at Crossbeg were broken twice, the windows of Michael Croke's house at Ballinageen were smashed on 30th September, a threatening notice was posted on the house of Laurence Quin, Benvoran, on 6th November; and whether, in any of these cases, any persons have been made amenable.

Mr. BIRRELL: My attention has been called to the statement in question. No arrests have been made in connection with these particular offences, but six men have been arrested in connection with other offences against Mr. Griffin and his friends, and are now in prison, two awaiting trial, and four in default of bail.

Distress in Connemara.

Mr. O'MALLEY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether in view of the fact that the people of Connemara are in a chronic state of poverty, he will take steps to grant a portion of the Unemployed Fund for approved works in that district.

Mr. BIRRELL: The Unemployed Fund can only be granted to properly-constituted committees, for the purpose of meeting exceptional distress caused among working-men by want of employment. The Local Government Board have so far received no information which would lead them to anticipate exceptional distress among the small farmers in Connemara, whose resources this year are said to be fully equal to the average. Representations have, however, been made as to the existence of distress among the working-men in the towns of Clifden and Galway, where distress committees are in operation, and these are at present under consideration.

Land Purchase.

Mr. FLAVIN (Kerry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what is the amount a tenant-purchaser has to pay on each £100 of his purchase-money who has taken decadal reductions under the Land Purchase Act of 1896 for the first ten years, second ten years, third ten years, fourth ten years, and remaining period; what is his percentage of reduction for each period; and what would his average payment be on each £100 during the whole period of seventy-two and a half years.

MR. BIRRELL: I would refer the hon. Member to the Answer given by my right hon. friend the Chancellor of the Exchequer to a Question asked by the hon. Member for West Kerry on 26th November. As stated in that Answer, advances to purchasers under the Act of 1896 were made in guaranteed stock, and the rate of accumulation of the Sinking Fund varies, under Treasury Rules, with the actual price of the stock. It follows that the decadal reductions are also variable, and that the amount of such reductions cannot be stated until the actual period of revision arrives.

Land Purchase Zones.

MR. FLAVIN asked the Chief Secretary for Ireland whether he would state the amount of purchase money and average years purchase agreed to by tenants under the Act of 1903 whose judicial rents have been fixed since 14th August, 1896, and who have bought within the zone limit of ten to thirty per cent. without inspection; also the purchase money and average years purchase of the tenants who have bought outside the zone at over 30 per cent. reduction with inspection; and also whether he could give the purchase money and number of years purchase paid by first judicial tenants who have bought or agreed to buy within the zone limit of 20 to 40 per cent. without inspection; and the purchase money and average years purchase of first term tenants who have agreed to buy above 40 per cent. reduction with right of inspection.

MR. BIRRELL: I have not had time, since the hon. Member gave me notice of this Question, to obtain the figures up to date, but I will give the figures up to 31st March last so far as they have been classified. As to second term tenants, in cases within the zones, the total purchase money amounted to £9,201,259, and the average number of years purchase was twenty-four and a half. In cases outside the zones showing a reduction of more than 30 per cent. the total purchase money amounted to £400,376, and the average number of years purchase to twenty and a half. As to first term tenants, in cases within the zones the total purchase money was £7,016,987, and the average number of years purchase twenty-two years. In cases outside the zones showing a reduction of more than 40 per cent. the total purchase money was £147,373, and the average number of years purchase sixteen and a half.

Strangford Bar Buoy.

CAPTAIN CRAIG (Down, E.): I beg to ask the President of the Board of Trade if he can state at what distance the buoy recently placed off County Down coast, was moored from Strangford Bar; whether the Irish Lights Commissioners when laying it down, took into consideration the necessity of indicating danger, not only to mariners passing up and down the coast, but also to those navigating the bar itself; whether any of the Strangford or Portaferry pilots or others possessing local knowledge of that dangerous part of the coast were consulted as to the best position in all interests; and where is the buoy now.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I am informed by the Commissioners of Irish Lights that this buoy was placed about six miles off the entrance to Lough Strangford for the benefit of vessels passing up and down the coast and that the pilots of Strangford or Portaferry were not consulted. The Commissioners state that the buoy was placed in position on 15th November, but was so seriously injured apparently by collision with an unknown vessel that it had to be taken back to Kingstown for repairs. They expect to be able to replace it this week.

CAPTAIN CRAIG: Will the right hon. Gentleman take steps to have the local pilots consulted as to where the buoy shall be placed in future? Is it not a fact by reason of its being placed six miles out at sea it was of no assistance to navigation up to Strangford?

Mr. CHURCHILL: I think the suggestion as to consulting pilots is one that should be taken into consideration, although I am not prepared to say that the Commissioners who deal with these matters have been wrong in the course they have pursued. I will see that the hon. Gentleman's suggestion is brought to their notice.

Mr. JOYCE: Are pilots in any part of the United Kingdom ever consulted by the authorities on these matters? Would it not be well that they should be?

Mr. CHURCHILL: The Board of Trade are prepared to receive representations on the subject.

Private Members' Business.

Mr. R. PEARCE (Staffordshire, Leek): I beg to ask the Prime Minister whether, recognising the general desire for some improvement in the method of arranging the order of private Members' business, he has seen and will adopt, with or without modification, the plan set forth in the proposed Motion standing on the Notices in the name of the hon. Member for the Leek Division of Staffordshire for securing priority next session for such private Members' Bills and Motions as have made progress and been largely supported this session.

The PRIME MINISTER and FIRST LORD of the TREASURY (Mr. Asquith, Fifeshire, E.): The Government have no present intention to occupy the time of the House by considering proposals in regard to the rearrangement of business, but, whenever any alterations are considered, the hon. Gentleman's suggestions will not be overlooked. I need hardly remind my hon. friend that, by the co-operation of private Members, priority can generally be secured for Motions and Bills receiving the greatest amount of support.

Land Values (Scotland) Bill.

Mr. WATT: I beg to ask the Prime Minister on what day he will give the House an opportunity of considering the Lords' Amendments to the Land Values (Scotland) Bill.

Mr. ASQUITH: My hon. friend is no doubt aware that the Lords' Amendments to the Land Values (Scotland) Bill were such as to render it impossible for the Government to proceed with the measure.

Old-Age Pensions and Medical Relief.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Prime Minister whether he will bring in a small Bill before the close of this session to enable the pensions committees set up for the administration of the Old-Age Pensions Act, 1908, to grant pensions to those persons who do not receive from the guardians either coin or kind; and whether he can exempt service as medicine is so exempt, or will he take such action as will meet such applicants.

Mr. ASQUITH: I doubt whether a provision to the effect suggested would accomplish the hon. Member's object, which I understand to be to remove the disqualification in cases where the amount of the relief is recovered from relatives, with the result that the only net charge to the poor rate is the cost of administration. As the Government is pledged to deal with the whole question of disqualification on account of poor relief at the first opportunity, I am not prepared, as at present advised, to introduce legislation dealing separately with this particular aspect of the question.

*Mr. VERNEY (Buckinghamshire, N.): Will the Prime Minister in any Bill which is brought in give special consideration to prevent those persons being debarred from obtaining pensions who for many years have contributed to keep their relations and dependents off the rates?

Mr. ASQUITH: I have no doubt that is a fact which will be taken into account.

Mr. J. MACVEAGH: Is the right hon. Gentleman aware that relief in workhouse hospitals has been unanimously held by Irish Judges to be no disqualification for the Parliamentary franchise? Will the right hon. Gentleman take steps to secure that no person receiving such relief shall be debarred having an old-age pension?

MR. ASQUITH: I must have notice of that Question.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Reported, with Amendments, from the Standing Committee on Scottish Bills.

Report to lie upon the Table, and to be printed. [No. 352.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 352.]

Bill, as amended (in the Standing Committee), to be taken into consideration to-morrow, and to be printed. [Bill 392.]

POLICE FORCES (WEEKLY REST DAY).

Report from the Select Committee brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 353.]

Minutes of Proceedings to be printed. [No. 353.]

POLICE (WEEKLY HOLIDAY) BILL.

Reported, without Amendment, from the Select Committee on Police Forces (Weekly Rest Day).

Report to lie upon the Table, and to be printed. [No. 354.]

SELECTION (STANDING COMMITTEES).

SIR WILLIAM BRAMPTON GURDON reported from the Committee of Selection: That they had discharged the following Member from Standing Committee A: Mr. Solicitor-General for Ireland; and had appointed in substitution (in respect of the Poisons and Pharmacy Bill [Lords]): Mr. Attorney-General for Ireland.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to: Law of Distress Amendment Bill, with Amendments.

TRUSTS BILL.

Reported, without Amendment, from the Select Committee, with Second Special Report.

Report and Special Report to lie upon the Table, and to be printed. [No. 355.]

Minutes of Proceedings to be printed. [No. 355.]

NEW BILLS.

DISEASES OF ANIMALS BILL.

"To amend the Diseases of Animals Acts, 1894 and 1896, with respect to the exportation of horses," presented by Mr. George Greenwood; supported by Sir William Brampton Gurdon, Sir Frederick Banbury, Sir John Kennaway, Colonel Lockwood, Mr. Lehmann, Mr. Shackleton, Mr. Maddison, Mr. John Robertson, Mr. Byles, and Mr. Winfrey; to be read a second time upon Tuesday next, and to be printed. [Bill 393.]

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

"To amend the Post Office Savings Bank Acts, 1861 to 1908, with respect to deposits by the Public Trustee," presented by Mr. Sydney Buxton; to be read a second time To-morrow, and to be printed. [Bill 394.]

EDUCATION (ADMINISTRATIVE PROVISIONS) BILL.

"To amend the provisions of the Education (Administrative Provisions) Act, 1907, and the Education (Provision of Meals) Act, 1906," presented by Mr. Ramsay Macdonald; supported by Mr. Clynes, Mr. Curran, Mr. Charles Duncan, Mr. Keir Hardie, Mr. Arthur Henderson, Mr. Hudson, Mr. Jowett, Mr. Thomas Frederick Richards, Mr. George Roberts, Mr. Summerbell, and Mr. Tyson Wilson; to be read a second time upon Monday next, and to be printed. [Bill 395.]

HOPS BILL.

"To prohibit the use of hop substitutes in brewing, and the importation of hops except in bags properly marked," presented by Mr. Chancellor of the Exchequer; to be read a second time To-morrow; and to be printed. [Bill 396.]

UNEMPLOYED WORKMEN ACT (1905), AMENDMENT (No. 2).

*MR. KEIR HARDIE (Merthyr Tydvil) in asking leave to introduce a Bill to amend the Unemployed Workmen Act, 1905, said he was exceedingly anxious to get through the various stages of the small measure he wished to introduce this session, so as to enable the distress committees and local authorities generally to deal more adequately than they could at present with the problem of unemployment. The Bill consisted of two clauses only. The Unemployed Workmen Act, 1905, allowed distress committees to spend a yearly sum equal to a halfpenny rate without the consent of the Local Government Board, and up to the amount of a penny rate with the consent of the Board, but the distress committees were limited in the objects upon which the money so raised could be spent. A distress committee, for example, could acquire land under the Act, but it must not pay wages out of the rate money for having that land worked, and the object of the first clause of this Bill was to remove that limitation. They were not proposing to increase the amount that could be raised under the Act; all they were seeking was to remove the restriction which prohibited wages being paid from the money so raised. The local authorities in all the big centres of population were finding great difficulty indeed in dealing with unemployment in their midst, and it was thought that, if the power which this Bill proposed to confer upon them was given, they would be able to deal more freely with the problem. He had in his hand the figures from various big centres of population as to what a halfpenny rate would give to these distress committees, and in the city of Liverpool he found that a halfpenny rate meant £9,000 a year; in Manchester, £8,500; and in the Metropolitan area no less than £90,000. They asked, then, not that the rate should be increased, but that the money that it was now legal to raise should be available to be spent in the payment of wages. The clause proposed to add to subsection (6) of the Act so that it would read as follows: "The expenses, including wages, incurred by the central body in providing and operating relief work for the unemployed, which has been sanctioned by the local Government board." The second clause was a question of machinery. At present, under the Act, where no distress committees had been set up, it was obligatory on the various councils to form what were called special committees, which were limited to collecting information about the unemployed and to assisting labour exchanges and matters of that kind. What the second clause of the Bill proposed was that where there was no distress committee, and where a special committee had been set up, the Local Government Board should be empowered to authorise that special committee to perform all the duties of a distress committee, the object being to enable certain localities where unemployment was acute, but only temporary, to tide over the present winter without being under the necessity to set up the sometimes costly machinery of a distress committee. Might he say quite frankly that the special object they had in view in the second clause was to enable the localities which had no distress committees, but where there was acute distress, to participate in the Government grant. The grant could only be administered at present through distress committees. That shut out great tracts of country where the need was pressingly great, and the second clause of the Bill widened the scope of the area over which the Government grant could be distributed. These were the only provisions of the measure, and he respectfully begged the House, in view of the urgency of the question, not merely to give leave to introduce the Bill that day, but to allow it to go through its Second Reading unopposed, in the hope that thereupon the Government would take the measure up and carry it through its remaining stage. Those who doubted the need for a measure of this kind should visit the Embankment between twelve and one o'clock at night, or go to the city of Glasgow, where every night hundreds of men were lining the streets in the neighbourhood of police offices, waiting to occupy the vacant cells in which there were no prisoners. The situation was acute. Thousands were starving, and this little Bill, by conferring upon the local authorities more adequate powers than they now possessed, would at least go some little way towards tiding them over the present winter. He begged to move.

Motion made, and Question proposed, "That leave be given to bring in a Bill to amend The Unemployed Workmen Act, 1905."—(*Mr. Keir Hardie.*)

Sir F. BANBURY (City of London) said he should not have risen if the hon. Member had not said he hoped the Second Reading of the Bill would be agreed to. So far as he could make out, from the description of the Bill, it was an extremely bad Bill and one to which he should offer his most unqualified opposition.

Question put, and agreed to.

Bill ordered to be brought in by Mr. Keir Hardie, Mr. Arthur Henderson, Mr. Barnes, Mr. Ramsay Macdonald, Mr. George Roberts, Mr. Charles Duncan, Mr. Curran, Mr. Jowett, Mr. Summerbell, and Mr. Tyson Wilson.

UNEMPLOYED WORKMEN ACT (1905) AMENDMENT (No. 2) BILL.

"To amend The Unemployed Workmen Act, 1905," presented accordingly, and read the first time; to be read a second time to-morrow, and to be printed. [Bill 398.]

BUSINESS OF THE HOUSE (IRISH LAND BILL).

Motion made, and Question put, "That the Proceedings on the Irish Land Bill, if under discussion at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Mr. Asquith.*)

The House divided:—Ayes, 281; Noes, 62. (Division List No. 435.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Barker, Sir John
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Condon, Thomas Joseph
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dillon, John
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esslemont, George Birnie
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Rt Hn. Sir W. Brampton
Gwynn, Stephen Lucius

Hall, Frederick
Halpin, J.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harvey,W. E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Hayden, John Patrick
Hazel, Dr. A. E.
Hazleton, Richard
Hedges, A. Paget
Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holt, Richard Durning
Hooper, A. G.
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jowett, F. W.
Joyce, Michael
Kavanagh, Walter M.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kettle, Thomas Michael
Kibride, Denis
Kincaid-Smith, Captain
Lamb, Edmund G.(Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Lea,Hugh Cecil (St. Pancras,E.
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lever,A.Levy (Essex, Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Lupton, Arnold
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk Bg'hs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh,Jeremiah (Down,S.)
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Laren,RtHn.SirC.B.(Leices.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major, G.
Mallett, Charles E.
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan,Francis E. (Leitrim,N.
Meehan, Patrick A.(Queen'sCo.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montague, Hon. E. S
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Muldoon, John
Murnaghan, George
Murphy, John (Kerry, East)
Nannetti, Joseph P.
Napier, T. B.
Nichols, George
Nicholson,Charles N.(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
O'Brien,Kendal(Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Brien, William (Cork)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Kelly,James (Roscommon,N
O'Malley, William
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson,W. H. M.(Suffolk,Eye)
Perks, Sir Robert William
Phillips, John (Longford, S.)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C.E. (Edinb'gh,Central)
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Walter Russell (Scarboro'
Redmond,John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards,Thomas (W. Monm'th
Richards, T.F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Linc o'n)
Roberts, G. H. (Norwich)
Roberts, SirJ.H. (Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Roche, John (Galway, East)
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel,Rt.Hn.H.L. (Cleveland
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Seddon, J.
Seely, Colonel
Shaw, Rt. Hon. T. (Hawick B.)
Sheehan, Daniel Daniel
Sheehy, David
Shipman, Dr. John G.
Sinclair, Rt. Hon. John.
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley,Hn.A.Lyulph (Chesh.)
Stewart, Halley (Greenock)
Strachey ,Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Thomas,Sir A. (Glamorgan, E.)
Thompson,J.W.H.(Somerset,E
Thorne,G. R.(Wolverhampton)
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Ward, John (Stoke-upon-Trent
Waring, Walter
Warner, Thomas Courtenay T.
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Watt, Henry A.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White,J.Dundas(Dunbart'nsh
White, Sir Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley,John Henry (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson P. W. (St. Pancras, S.)
Wilson, W. T (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Balcarres, Lord
Balfour,RtHn.A.J.(City Lond.)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Bowles, G. Stewart
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Clive, Percy Archer
Collings,Rt.Hn.J.(Birmingham
Courthope, G. Loyd
Craig, Charles Curtis(Antrim,S.

Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fardell, Sir T. George
Fell, Arthur
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gordon, J.
Goulding, Edward Alfred
Guinness, W. E. (Bury S. Edm.)
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Hill, Sir Clement
Hope, James Fitzalan (Sheffield)
Hunt, Rowland
Kerry, Earl of
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Farehm)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Meysey-Thompson, E. C.
Middlemore, John Throgmorton
Morrison-Bell, Captain
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Scott, Sir S. (Marylebone, W.)
Sloan, Thomas Henry
Smith, Abel H. (Hertford, East)
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Noes—Mr. Forster and Mr. Pike Pease.

IRISH LAND BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*Mr. WYNDHAM (Dover): I venture to address the House this afternoon under a deep sense of responsibility. I should like also to add that I attempt a criticism of the Bill with a great deal of diffidence, which I think is justifiable under the circumstances. I do not know how it may have been with other Members of the House, but for myself I must honestly say that during the last fortnight of somewhat sensational political controversy, I have not found the opportunity of giving to the provisions of the Chief Secretary's measure that close and calm consideration which I think they undoubtedly demand. However that may be, I am sure that no hon. Member of this House has enjoyed adequate opportunities of considering the White Paper which contains the calculations upon which the Chief Secretary's estimate of the size of the problem is based. I think it was yesterday fortnight that this Bill was introduced, and the Chief Secretary then told us that his advisers had made calculations which led him to believe that the size of the problem amounted to £180,000,000. It was only yesterday afternoon that those calculations were available in the Vote Office, and they have not yet been circulated to all the Members of the House. I do not want to harp upon that, and I mention it for one reason only. It is this, that the short study I have been able to give to these calculations confirms at every point the interpretation which I have been forced to put upon the Bill which the right hon. Gentleman has introduced. They show—indeed, they state in printed words—that the Government is proceeding upon two assumptions. The first assumption is that every acre of the agricultural land of Ireland is to be sold, not, as I shall show, to the occupier, but often, and perhaps as a rule, to somebody else; and it assumes that every acre to be sold in the future will command the average price of every acre which has been sold in the past. That may very well prove to be the case if the House of Commons and Parliament passes this measure. I have been asked by my right hon. friend to state for him and those who act with him our reason for finding ourselves unable to support this Bill, and also our reason for finding ourselves compelled to oppose it. It may be suggested that this Bill is more in the nature of an occasion for an academical discussion. I gather—and I suppose I am right—that this Bill will not be carried through all its stages before Christmas. I do not know whether it is to be suspended and reintroduced next session, but however that may be, it may be suggested—and I wish to meet the suggestion—that we ought to adopt an impartial attitude towards the Bill, and leave it to be discussed by those who are more intimately interested in its provisions in Ireland during the Christmas recess. I must put that suggestion upon one side. If we are right—and I hope to be able to show that we are right—in believing that the policy of this Bill annuls the policy for which we made ourselves responsible in the year

1903, then I think it is our duty to state quite explicitly, even at this early stage, the reasons for the action we find it incumbent upon us to take. If this is the death warrant of all we believe to be in the true interests of Ireland, we must oppose it, although its execution is to be delayed. The reasons for our action may be grouped under two heads. We have what I may call negative reasons, which force us not to support the Bill of the Government. We cannot support the Bill because we do not find that it will expedite the policy land purchase in Ireland. We believed that it was for the welfare of Ireland that the system of dual ownership in that country should be brought, and brought speedily, to an end. We thought that the position was intolerable; that it was not in the interest of any landlord to put capital into the land, nor in the interest of the tenant to put labour into the land. We said, and all parties in the House agreed with us, that that system of dual ownership must be brought to an end; and we were able to say that that could be done without imposing an impossible burden upon the credit resources of this country. This Bill does nothing to expedite the policy for which we are responsible. Then the other set of reasons which make it impossible for us to take any other course than that of opposing the Bill are positive reasons. We find that this Bill above and in addition to all that I have said, introduces a new policy, which will in every case prove injurious to the welfare of Ireland, and will also, in our opinion, place a burden upon the credit resources of this country far in excess of any burdens that were contemplated, or which were needed, in order to carry out the policy for which we held ourselves responsible, and for which we hold ourselves responsible now. What was the situation when the Government announced their intention of bringing in this Bill? The policy of the Act of 1903 was proceeding in Ireland, I will not say to universal satisfaction—I do not say that—but I do say that it was meeting with very general support and acceptance as shown by the very fact that so many landlords and tenants crowded into the office of the Estates Commissioners when, from the Report of the Committee, they gathered that the policy was going to be changed. I think I am entitled to say that if our policy did not meet with universal approbation it met with very general acceptance on the part of the landlords and tenants in Ireland. Because it met with so much acceptance on the part of landlords and tenants in Ireland, the block was produced in the transaction of business in the Estates Commissioners' office. We had been told by the Chief Secretary that agreements had been embodied in applications amounting to £52,000,000 which had not yet been dealt with. That was one very important fact in the situation. The other very important fact in the situation was that owing, if I may say so, to the general acceptance of that policy, the ratepayers of Ireland were threatened in the very near future with having to bear the losses due to the flotation of stock below par. There were the two essential facts of the situation with which we were all confronted at the beginning of this session. I admit that in this Bill there are two clauses to which I can give almost unreserved approval. They are the fourth and sixth, which deal, or may be used in order to deal, with those two difficulties. Under Clause 4, I think that the Government could deal effectively with this block, or far more effectively than they are likely to do under the clause which they put forward as their principal solution for dealing with the block of agreements. Under Clause 6, no doubt the Government do make it quite clear that the ratepayers of Ireland are not to bear any losses through the flotation of stock below par. That was the intention of the authors of the Act of 1903, and we are ready to join with the Government in making what was then our intention, perfectly clear. But when we come to the rest of the Bill, apart from those two clauses, we find that it will stop voluntary purchase, and that it will substitute for voluntary purchase, the policy of which all parties approved five years ago, and which was very generally accepted in Ireland, another policy of minute and universal interference with the rights of everybody engaged in agriculture either directly or indirectly in Ireland,

and at a cost to the State which I believe will not be £180,000,000, but will be quite incalculable. If the House will bear with me in my attempt to deal with a very complicated problem, I propose to look at the provisions of this Bill under four heads. I wish first to ask the House to consider the steps which the Government propose for removing the actual block—the number of agreements which have been filed, for which money is not forthcoming, and for which there is not a sufficient administrative staff. Then I wish to pass to future agreements and consider what is likely to happen after the block has been removed. Then I should like the House to let me deal with the proposals of the Government for remedying the congestion, as we understand the word "congestion," by that I mean improving the existing holdings occupied by the existing tenant, if that holding is of such a character that it should not become his property without being increased and improved. In conclusion, I will ask the House to consider and to consider very carefully what I must call the new policy of the Government, a policy that has never been contemplated before, and never, I believe, proposed by any responsible Government in any modern State. The new policy is one of creating a new race of peasant-proprietors drawn from among any persons living anywhere, and endeavouring to make their holdings all about the same size, and to engage them in a form of agriculture in which the Irish tenants have not been accustomed hitherto to exercise their talents and their ingenuity. First, I will go through the provisions of this Bill which are introduced in order to remove the existing block in the Estates Commissioners' Office. I understand from the Bill and from the speech in which the Chief Secretary introduced it, that the Government are going to raise £5,000,000 in cash, and I understand that they are going to issue stock in order to raise that cash. That is so, I understand; I wanted to clear up the point. There had been a suggestion that, from other sources, 5,000,000 sovereigns could be found without issuing stock; but now we have it that in order to raise 5,000,000 sovereigns, stock is to be issued. Out of these 5,000,000 sovereigns, 1,000,000 sovereigns are to be devoted to another purpose, and only £4,000,000 will be available for dealing with the block in the Estates Commissioners' Office. In addition to the 4,000,000 sovereigns, the Government intend also to issue stock, the old stock, bearing interest at the rate of $2\frac{3}{4}$ per cent., and to allow but not to compel the landlords to accept that stock in lieu of cash. Therefore, there will be £4,000,000 in cash, and, as far as I can make out, if the stock is floated at 92, which is very improbable, on the most favourable estimate, there would be another 4,630,000 sovereigns produced by the flotation of £5,000,000 of stock, so that there will in all be, and only be, 8,630,000 sovereigns available for dealing with this block which amounts to £52,000,000. I do not know whether the Chief Secretary includes, perhaps he will tell me, the bonus in the £4,000,000 cash. If he does, then, of course, there will be less money available for dealing with the block than if he did not. Roughly speaking, I make out sufficiently nearly to support my argument that, if he does not include the bonus in the £4,000,000 cash, then it would take at least six years to remove this block, and that if he does include it, then it would take at least eight years to remove this block. I think that we are entitled to say that this does not expedite our policy of land purchase. Such a plan cannot, I think, be called an efficient plan for dealing with this difficulty. I do not know whether the Government has an alternative plan in Clause 4, but if they have, surely that is the plan which they ought to have explained to the House when they introduced the Bill. Are they prepared to liquidate this block in the course of a couple of years? That is what we all want to know, and that is what everybody interested in Ireland wants to know. But that is not what the Chief Secretary says, and that is not what appears in the forefront of his Bill. What appears in the forefront of the Bill is that he intends to proceed on the lines I ventured to sketch to the House. We must be allowed to say that that is not an efficient way of dealing with this immediate difficulty.

I must add that it cannot be quite a fair way of dealing with it in regard to the interests of either the landlords or the tenants, who signed these agreements in the faith and belief that Parliament would carry out in spirit as well as in law the engagement which Parliament consented to five years ago. Taking the stock part of the plan I think that it works out in this way. If the agreement is in respect of £2,300, then stock would have to be issued to the amount of £2,500. I think that is how it works out. If the stock stood at 92 the landlord would get his 2,300 sovereigns out of his £2,500 worth of face-value stock. But it does not stand at 92; it stands below 88–86¼. But we will first take it at 88. If it stood at 88, the landlord would lose £100 out of his £2,300. If it stood at 84, he would lose £200 out of his £2,300. That cannot be called carrying out the bargain to which this House was a party five years ago. And the tenant will suffer, too, for he will have to pay 3½ per cent. instead of 3¼ per cent., if his agreement came after 31st October, for at least six years and possibly for eight years. You are adding eight years to the period of repayment by the tenant, and you are making him pay 5s. which he did not contract to pay through his representatives when the Act of 1903 was passed. You are making him pay 5s. per £100 each year during the whole of those eight years. That is not an efficient way of dealing with the difficulty; it is not a fair way of dealing with the difficulty, and I do not think, from the financial point of view, that it is a very sound way of dealing with the difficulty. We know that the difficulty has arisen largely because the City is not prepared at the present moment to take continuous annual issues of this 2¾ stock. We know that the City is anxious, if the Government will agree to it, to accept instead of that stock, what are called short bills. Yet under this Bill you are going to offer to the City, whether the City is prepared for it or not, the very kind of security which the City does not want instead of giving it the kind of security which it does want. So much for my criticism of the immediate difficulty, the block in the Commissioners' Office. I pass to my second head under which I propose to criticise the Chief Secretary's Bill, and I want the House to consider what will happen in respect of future agreements. That is very important. When the House adopted this policy five years ago there was no idea that tenants and landlords were to be penalised if they did not succeed in arriving at an agreement at once, and if they had such agreements, could not have been dealt with. But under this Bill landlords and tenants will be heavily penalised when the block has been removed. The Chief Secretary in introducing the Bill said that nothing must be done to arrest land purchase. In the light of that declaration of policy I ask the House to consider the provisions in respect of future agreements. It is evident that they would not be dealt with for six or eight years, but there is more to be said. Under this Bill in respect of future agreements the instalment paid by the tenant is to be 3½ per cent. instead of 3¼ per cent. But that only comes into operation when the Bill becomes law. It would be illegal for the tenant now to enter into an agreement which embodies payment on his part of 3½ per cent. He cannot do it. But does anyone suppose that any tenant is going to enter into an agreement to pay 3¼ per cent. knowing that when the Bill becomes law it is to be changed to 3½ per cent.? It is absurd to suppose a single tenant in Ireland will put pen to paper under the provisions of the Bill until it is passed, and it is difficult to suppose he will do so when it is passed. It is illegal till the Bill passes and it will be torn up when the Bill does pass. I pass from the tenants' interest in the provision of the Government in respect to future agreements to the landlords' interest. If the landlord can get his tenants to make this leap in the dark he has to take a 3 per cent. bonus instead of 12 per cent. So that neither the tenant nor the landlord, if they are sane, is likely to sign an agreement until the Bill passes through Parliament, if it does pass in its present form. If it passes landlords and tenants will be able to consider whether it is worth their while to enter into agreements which cannot possibly be proceeded with for six or eight years, and what conditions will be imposed on these new agreements. Clause 1 makes the annuity 3½ per cent.

That is what the tenant has to pay. Of that 3 per cent. is for interest. We have never charged tenant purchasers in Ireland more than 2¾ per cent. since the Act of 1891. Now, after waiting six or eight years he has to pay 3 per cent. The stock under Clause 2 is to be 3 per cent. stock. But there is an alternative, it may be 2¾ per cent. stock. Does the Chief Secretary really believe that landlords and tenants in Ireland are going to sign agreements which will not fructify for six or eight years without knowing whether the stock is to be 3 or 2¾ per cent. stock, and knowing perfectly well it will be 3 or 2¾ per cent. in order to suit the interests of the Treasury, and not to suit the interests of the parties to the bargain? And that stock is not to be offered to the landlord if he is in a hurry, but it is to be given to every landlord. No cash is to be given. It is a compulsory plan so far as finance is concerned. There is one other provision which militates against the interest of the tenants and departs from the bargain of five years ago. Under Clause 8 the tenant in addition to his first instalment of 3½ per cent., has also to pay interest for the period between the date of that instalment and the date of the first dividend on the stock issued by the Government. Instead of saying, as he does now: "I have to pay £3 5s. on every £100," he must say, "I have to pay £3 10s., and on the first instalment which will probably hit me hardest, after waiting for the agreement to be confirmed, I have also to pay an unknown sum in respect of interest for the period between my gale day and the date of the dividend on the stock which is issued by the Government."

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): Who does that now? It is paid by the ratepayers.

MR. WYNDHAM: What we have to consider is whether we are expediting purchase by asking the tenants to assume burdens of a doubtful character falling upon them at a distant date. In Clause 11 the Government propose really to abolish the zones. I know that is popular with some representatives of Irish constituencies. I am certain that if they substitute inspection for security for the easy automatic process which the Act of 1903 brought about in place of inspection for security, you will go back to those difficulties and delays and litigation which the Act of 1903 was adopted to remove. One of the main arguments used by us and accepted by hon. Members from Ireland on the policy of the Act of 1903 was that Ireland had suffered from the fact that landlords and tenants lived a life of litigation, and that all the purposes which they contemplated were indefinitely delayed. Substitute inspection and security for the operation of the zones and you go back to it. No bargain, however just, however profitable to the landlord or tenant, can go through if anybody supposes that it is his business to scrutinise that bargain on the basis of its security. We all felt and we all said that if the reduction offered by the purchase gave a sum sufficiently below the rent which the tenant paid, we were satisfied with the security. That was one of the contributions of the taxpayers and representatives of England and Scotland to the solution of the Irish question. Now some of the Irish Members say they prefer litigation and delay. I very much doubt whether the tenants in Ireland do. I rather think this great rush to the Estates Commissioners' Office shows that the tenants prefer the easy and automatic process to the litigation, delay and anxiety which preceded the Act of 1903. There is another extraordinary provision which must have a very injurious effect upon future agreements in Ireland. Clause 13 says that no advance shall be made for a new tenancy unless that tenancy is created by a State official. If an Estates Commissioner, or the Congested Districts Board or the Dapartment of Agriculture—if any one of these three State Departments chooses in its wisdom to create a new tenancy an advance can be made, but no new tenancy can be created by anyone else. During this long period the Government are going with their eyes open to paralyse the whole of the existing system of agricultural tenure in Ireland. I believe that will prove most injurious to the interests of Ireland. Clause 14 repeals Section 2 of the Act of 1903, which provided for selling new tenancies to the tenants on the estate, the sons of tenants on the estate, to evicted tenants, and to persons in very poor circumstances in the immediate neighbourhood of the estate. Under the Bill some parcels may still be sold to tenants and the sons of tenants on the estate, but in their case the amount advanced is limited to the narrowest proportions. The whole policy of the Bill is to take away from the occupiers the gifts which were given to them under the policy of 1903, and at their expense to give better terms to persons who have never suffered under dual ownership, and have no present title in the land at all. Then we find this clause reopens the whole evicted tenants question. When the Act was passed we were informed by the hon. Member for East Mayo, that the number of evicted tenants to be provided for was limited. But the number grew. I make no complaint of that. I am not going back on the past. A Commission sat and investigated the claims, a new figure was arrived at, and we were told that this at last was an end of the evicted tenants question, and yet the Government now reopen it again, and suggest a larger advance than is allowed to tenants or sons of tenants for men who may have been tenants in the past twenty-five years, no matter under what circumstances they may have lost their tenancy, or for any nominee whom a State official may accept if the original evicted tenant be dead. That is placing a greater burden on the finances of this country. It is narrowing the amount we could give to the purpose of the policy of 1903, which was to put an end to dual ownership. Now I pass to subsection (*e*) of Clause 14. I really think this subsection is the most surprising enactment that any responsible Government has ever asked the House of Commons to pass. Under this subsection the State officials who alone are to have a say in these matters, may give a large advance to "any person." Anybody may come along living in Ireland, America, Scotland, or England, for it does not matter. Any person who they think will be fit to carry out their idea as to mixed farming is to have these special financial privileges at the expense of the tenants of Ireland. By subsection (3) of this amazing clause it is possible to take away the holding which a tenant has already purchased. Not only will you reopen the evicted tenants question and invite all persons to come in to share the benefits which we gave to the tenants of Ireland, but where a tenant has entered into a contract with the landlord and the State, and has paid his instalments regularly for fifteen years, you may take away from him that which is his own, and sell it to somebody else in order to keep a symmetrical plan. Clause 17 of this Bill annuls the protection given by the Act of 1903 to mortgagees and all the other parties interested. We provided, and it was a necessary provision in view of the easy process we put forward for abolishing dual ownership, that the parties interested should be heard. Now there is to be an attempt under the system of purchase to do that which failed under the system of fixing fair rents. The policy of 1903 was accepted by all parties in Ireland, because at that time a great deal of delay was caused by litigation involved in determining how much of an improvement ought to be allotted to a landlord and how much to the tenant. That was discussed in Ireland for twenty years, and law suits proceeded all that time. One case alone occupied the Courts for years. Under our Act that kind of thing was stopped and instead of the money being spent in sterile forms of civil war we thought it might be better used by putting an end to that war. That is stopped by Clause 17. Now under Clause 17, instead of a Fair Rent Commissioner, there is to be a sort of Purchase Commissioner, who is to go round and examine every parcel of land, deciding what is due to the inherent capabilities of the soil and what is due to the enterprise of the tenant. That is a reversal of the policy of 1903. Then we come to Clause 31. If the House is prepared to admit the arguments I have adduced they will see that agreements are not very probable, and that they will probably be delayed for six or eight years. Power is being taken from the landlord, the mortgagee is being alarmed, any person is to be allowed to have an advance. There is at all points a large element of doubt and distrust. The probability is that it will be far more than six or eight years before any landlord and his tenants succeed in arriving at any agreement at all. Then Clause 31 comes into operation. Voluntary purchase having been arrested by the preceding clauses, a State official may go and look at an estate and give an offer in writing to the landlord for the whole of his estate. If the landlord will not or cannot, on account of his own obligations, accept that offer, then the whole matter is clinched under Clause 43, and he may be compulsorily bought out for the sum stated in that written offer with no right of appeal on value except to the Judicial Commissioner. Under these circumstances the compulsory clause of this Bill will be the only operative clause, and it is idle to suppose that any Judicial Commissioner can perambulate the whole of Ireland to settle business which in the last five years the tenants and the landlords have settled for themselves to the tune of £77,000,000. Quite apart from the financial disabilities these provisions make it impossible for a landlord to come to terms with his tenant. The place of the landlord is taken by a State official and the place of the tenant by any person whom the Commissioners think is the man most likely to succeed in mixed farming. But the financial disabilities must be glanced at and they are scarcely less prohibitive. In respect of future flotations the loss is to be placed on the landlord and the tenant. I agree that the 3 per cent. stock is likely to be more popular than the 2¾ per cent. stock, but it should not be forgotten that the estates are frequently heavily mortgaged. If they take this stock they will need to sell it almost immediately to the extent of one-third, and perhaps to a greater extent, but will that stock be at par? Some calculations place it at 95. Consequently there will be a loss on the flotation which will fall on the landlords and the tenants. Now I pass on to the new provisions in respect to the bonus. I do not wish to weary the House, but I have worked out what the figures of the bonus will be. I will not give all the figures, but I will give the conclusions which I have based upon them. Whatever else may be said of this sliding scale applied to the bonus, it certainly puts first term rents and non-judicial rents upon the same footing as second term rents. The line of discrimination should have been between first and second term rents, but, as it is proposed, you go merely by the number of years purchase, and that is not a fair solution. Considering only the second term rents you will find the Schedule works out at an additional year's purchase for twenty-one years purchase. There will be a tendency for the cheap article to get this price. The next big gain a landlord will get under the Schedule will be for twenty-four years purchase. If he sells at twenty-four years purchase he gets twenty-five, and if he sells at twenty-five years purchase he still only gets twenty-five. That will fix the price of land for ordinary second term rents at twenty-four years purchase. That is a little bit below the ordinary result of the Act now in operation. The ordinary result has been 24·7 years' purchase, and people have got used to that. The landlord cannot accept less without suffering a diminution of his income which he is unable to bear. I could develop that argument, but I think I have made it clear that the operation of this clause will be to harden the price to twenty-one years for cheap land and twenty-four years purchase for the ordinary cases of second term rents. I will ask the House to consider the difference to the landlord and the tenant under this scheme from the terms which they were able to enjoy under the Act of 1903. Taking the second term rents, which have been analysed in the Estates Commissioners' Report, 23,620 have been sold at a reduction of 19·7, and 1,092 have been sold for a 33·3 per cent. reduction. My contention is that the cheap stuff will harden round twenty-one years purchase, which is more than has been given before, and in the other cases it will harden round twenty-four years purchase, because for each of those prices, twenty one years and twenty-four years, a whole additional year's purchase is given by the Schedule. Assuming that is a plausible contention what will happen? Now, if a landlord sells for twenty-four years purchase and invests the money at 3¼ per cent.—and that was the scale contemplated in 1903—he gets an income of £87 and a little more, but if this Bill passes, and my contention is sustained, his income will be £74 or £13 less, and his tenant now at twenty-four years. purchase has to pay an instalment of £78. If this Bill passes at twenty-four years' purchase the tenant will have to pay an instalment of £84, the result being that the landlord will get £13 a year less and the tenant will pay £6 a year more. I do not call that expediting purchase, and that is the most favourable view which can be placed upon this provision, since this is only true if the stock is at par. There is only one other observation I need to make upon these future agreements, and it concerns all hon. Members of this House as representatives of the taxpayers, as well as those who sit for Irish constituencies and represent the interests of the landlords and the tenants. By making the annuity 3½ per cent. you change the multiple of the guarantee fund. When the Act of 1903 was before the House we remodelled the whole of the guarantee fund in view of the instalment which we introduced. Now the Chief Secretary introduces an instalment one-eighth bigger and makes no changes in the guarantee fund. We could only give that guarantee for a sum total of about £150,000,000, By making the instalment 3½ per cent. instead of 3¼ per cent. you reduce that guarantee till it will only cover about £130,000,000, and you do that in a Bill in which you ask the country to guarantee £180,000,000. So that for the first time you are asking the British tax-payer to go bail for £50,000,000, for which there is no guarantee at all.

MR. JOHN REDMOND (Waterford): For default only.

*MR. WYNDHAM: Quite so, but I point out that there was a complete guarantee even when there was little or no prospect of default. I am bound to say, however, that under the conditions I have described the chance of default is greater than under the conditions which previously existed. I come now to the provisions dealing with congestion. Under the Act of 1903 the State was to aid in making a very bad holding a better holding, when the tenant occupier was to become the purchasing proprietor of it. All that is entirely changed now. The Congested Districts Board is given the power to remodel every estate in the whole of nine counties without the consent of the owner; and this applies even outside the congested districts—anywhere in Ireland. Without the consent of the owner the Estates Commissioners or the Congested Districts Board may declare any estate a congested estate, if half the area consists of holdings not exceeding £10 valuation. [Cheers from the IRISH Benches.] That policy is applauded by hon. Members below the gangway, and I am sure that they will allow me to point out what it means. If we take all the holdings in Ireland, 56 per cent. are under £10 valuation, so that Clause 18 turns the whole of Ireland into a congested district. That of course, is assuming that the congestion is equally distributed. As more than half of all the holdings are under £10 valuation, this clause says that without the consent of the owner, the whole of that area is handed over to the Estate Commissioners or the Congested Districts Board and controlled by them in every respect. By Clause 14 (3) they may buy a holding that has already been purchased. Clause 19 abolishes the rights of existing tenants. The boundaries of their farms can be changed without their consent. Under the Act of 1903 that could only be done at the request of three-fourths of the existing tenants. That is repealed, so that men who are prepared to enter into voluntary agreement may find that because half an estate is of that valuation they cannot do so. Was there ever such a wholesale and drastic interference not only with the rights of property, but with ordinary liberty? If you think you can thus overcome the rooted love of the Irish tenant for the soil he occupies, and which perhaps his father and grandfather occupied, I believe you are making a very great mistake. I think that the amount of agitation, and even revolt which you will bring into being, will substitute for the peace which Ireland has recently enjoyed, a state of disorder, [Ironical cheers from the IRISH benches, and cries of "peaceful Ireland."] I do not take up the interruption of the hon. Gentlemen below the gangway. It is common knowledge that over the greater part of Ireland there has been a distinct improvement in social relations since the Act of 1903 was passed; but there are some parts of Ireland—far too many and too large—where there is grave social disorder at this moment. My point is that that social disorder must be increased if this Bill is passed into law; because it interferes tyrannically with the rights of all persons concerned, and also because you are introducing a new policy. We ought to consider what that means in terms of the peace of Ireland and in terms of the credit of the Imperial Exchequer. I have been told that the hon. Member for North Longford has said that this Bill of the Chief Secretary justified cattle-driving. Well, I will not go so far as that, but I will tell the House that I think it is likely to multiply the number of cattle-drivers, and during the six or eight years of waiting it is almost an invitation to any persons who are to profit under it to make it very hard for the persons who are now occupiers of Irish land. This Bill is intended, if we look at its provisions, or at the paper calculations which have been provided, to put the whole agricultural area of Ireland through the mill, in order to bring it out in symmetrical plots of about the same size, and devote them to the same form of agriculture. That kills voluntary purchase. Under it the State will attempt a task which no State can carry out or pay for. The landlords' rights are taken away, the existing tenants' rights are taken away, the rights of the mortgagees are taken away, the purchasers' rights are taken away. The State, by a handful of harassed officials for administration and a 3 per cent. stock for credit, is to abolish all existing rights in order that any person may try his hand at mixed farming—which demands for its success the careful selection of the individual farmer—on symmetrical plots in a country which depends for its existence on the cattle trade. The Judicial Commissioner is to revive all over Ireland the ancient procedure of the old Landed Estates Court. The Court of the Estates Commissioners will be very much in the position of the Bankrupt Estates Court. Every estate in Ireland will be handed over to the control of officials. The rights of existing proprietors will disappear. The Estates Commissioners and the Congested Districts Board will be employed at the rate of £1,000,000 a year in buying out compulsorily any person who owns land, in order to sell it to any person who does not. There is no special reason why such a visionary policy should be applied to Ireland. No case can be made out for applying such a policy to Ireland which cannot equally be made applicable to England and Scotland. It is a fantastic experiment. But if such an experiment is to be tried it should be tried in an experimental manner; and if it proved to be sound it ought to be applied to every part of the United Kingdom. As far as we on this side of the House are concerned, we are prepared to persist in our policy of ending dual ownership; we are prepared to relieve the ratepayer of losses due to flotation; we are prepared to continue and develope our policy of dealing with congested holdings; we are prepared to assist in removing the block of agreements, without prejudice to the rights of future buyers or sellers. But, we must resist a policy which tears up the agreement of 1903, in order to impose a minute and universal State tyranny on Irish agriculture, and to impose an incalculable burden on the credit resources of the Imperial Exchequer. I beg to move.

Amendment proposed—

"To leave out all the words after the word 'That,' to the end of the Question, in order to add the words 'this House, while willing to consider favourably proposals for expediting land purchase in Ireland and for relieving the ratepayers of their contingent liabilities for losses due on the flotation of Irish Land Stock, declines to proceed with a Bill which throws fresh obstacles in the way of the sale of holdings to their occupiers and which increases the responsibilities already undertaken by the British Exchequer without conferring any corresponding benefit either on the tenant or owner of Irish land.'"—(*Mr. Wyndham.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. JOHN REDMOND: I hope that the House at large noticed one very significant statement made by the right hon. Gentleman. He said that so far as he had followed events in Ireland improved social relations had followed in the wake everywhere of the successful working of the Act of 1903, and he went on in the next breath to declare that there were still some parts of Ireland where there was a great deal of social disorder and disturbance. The parts where social disorder and disturbance exist in Ireland are the parts where, owing to the defects in the law of 1903, the beneficent operation of the land purchase policy has not been carried out. If we are to-day discussing this question it is because the House of Commons did not listen to our suggestion years ago for the amendment and improvement of the Land Act of 1903, and one of the great justifications for this measure is to be found in the desire of the Government by extending the beneficent principle of land purchase to the poorer districts in Ireland to remove the reasons for disorder. What has been the experience of the Act of 1903? It has worked most successfully in the better-to-do parts of Ireland, in the centre of Ireland, where the problems of poverty and congestion are not at all to be compared with those which exist in the west and north-west of the country. There comparatively well-to-do tenants and comparatively well-to-do landlords have had the opportunity of land purchase going on rapidly and satisfactory and with the best possible results, but in the really poor districts of Ireland, in those parts of Ireland where the real land war exists, whence the whole difficulty of the land problem has sprung —there the Act has been practically inoperative. These are the terrible districts which the right hon. Gentleman described so eloquently in his speech in 1903, when he spoke of the rotten and wretched portions of the country. In those districts his Act has not worked at all, and from that it comes that there is disturbance in Ireland, and from that came about the necessity for the introduction of this Bill. I ask the House, are they going once again, after so many sad examples in the past, to disregard the opinion of the overwhelming majority of the representatives of the Irish people? The right hon. Gentleman has told the House of Commons that this Bill is the death warrant of all that is in the interest of Ireland. Well, I am commanded by my colleagues of the Irish Nationalist Party to state the contrary. It is for the House of Commons to decide will they once again listen to a voice such as that of the right hon. Gentleman telling them what is in the interest of Ireland, what is wanted in Ireland, what the Irish tenants want, and what the Irish people want, or will they at long last on this question, listen to the voice of the overwhelming majority of the people of Ireland? The right hon. Gentleman has told us that this Bill will unmake the policy of the Act of 1903. He has told us—I do not think he imputed motives—that the effect of this Bill would be to annul the policy of 1903 which was that dual ownership was to be speedily ended. It is scarcely to be regarded as likely that the Irish people through their representatives here would support a Bill which in their judgment was intended to destroy the policy of the Act of 1903. The policy of the Act of 1903 has been the policy of the Irish Nationalist Party for the last thirty years. We never consented to the creation of dual ownership so far as it was created by the Act of 1881. The House will remember that in 1881 we walked out of the House and would not take the responsibility of voting. From that day we have always protested that there could be no solution formed on the principle of dual ownership of land. The first plank, after Home Rule, of the Land League founded by Parnell and Davitt, was the abolition of landlordism by a system of purchase at a fair price, and therefore I disclaim, so far as I speak for myself and my colleagues, any intention or desire to interfere with the work of land purchase or in the smallest degree to impede the abolition of dual ownership. The only answer that can be made is that we do not really understand the question, and that while being in favour of land purchase through ignorance of the country and the conditions of the problem and the people and the land question, the right hon. Gentleman is far better entitled to speak than we are as to what would be likely to effect our purpose. That is a subject on which the House of Commons has to decide. If they take the right hon. Gentleman's view they will decide that he knows better than we do what is good for Ireland, and they will vote against the Bill. But if they believe that on this question we know what we are talking about, and that our view ought to be taken, then this House will, by an overwhelming majority, vote for the Second Reading of this measure. Before I pass on there are one or two statements of the right hon. Gentleman to which I should like to allude. The right hon. Gentleman said that this Bill—falling rather below his original statement that it would annul the policy of the Act of 1903—will not expedite land purchase. He takes exception to the financial portions of the Bill, which I fully share, but what was the right hon. Gentleman's suggestion? If this Bill does not pass the finance of the Land Act of 1903 as it is to be found in the Statute will continue, and the entire loss of the flotation and the incidental loss on land purchase will fall on the ratepayers and fall on them at once, because I find that it has even now been admitted that the Development Grant is exhausted. The right hon. Gentleman complained that the Government were not going to raise more than £5,000,000 a year in cash. I complain of that too, but that is not in the Bill; there is no proposal in the Bill for limiting the amount of money to be raised. I agree that more than that should be raised, but that is no reason for opposing the Second Reading. There is nothing in the Bill limiting the amount of money to be raised. The right hon. Gentleman asks why are they endeavouring to raise less money by issuing stock when the City is anxious to give all the money necessary on short bills. I do not know who commissioned the right hon. Gentleman to speak in the name of the City. I do not know whether the City is anxious to provide the money on short bills. Even if the right hon. Gentleman is right and the City is prepared to provide the money on short bills, there is nothing in this Bill to prevent the Government taking that course. On the contrary, it is specially provided in the Bill that they may do so, and, therefore, his objection—which I share—that the Government do not foreshadow providing money rapidly enough for the operations of land purchase, is no reason against the Second Reading of this Bill. Now, Sir, let me deal with one other matter to which the right hon. Gentleman referred. He spoke about the new policy in this Bill, saying that the new policy was to create a new class of peasant proprietors in Ireland. He went on to speak of what he understood to be the policy of congestion, which was, as well as I could understand, that the remedy for congestion was to enlarge the existing holdings, and he did not take into his purview the possibility of dealing with congestion by way of migration. That is not how we understand the problem of congestion. It seems to me that the whole of the right hon. Gentleman's argument on that branch of the subject was an argument against what we regard as perhaps the most essential portion of the land settlement, namely, the breaking-up of the grass land. That is not a question which affects only certain particular congested areas in Connaught; it is a problem which affects the settlement of the land question all through Ireland. Rightly or wrongly we are of opinion that so long as there are these vast ranches in Ireland—uninhabited—from which the people have been driven by the operations of landlordism in the past, where for thousands of acres there is only one inhabitant, the herd living in a hut, while the owner is perhaps resident in Dublin or in London, and where at the same time there are innumerable uneconomic holdings all over Ireland—so long as that state of things continues we believe the land question cannot be settled; and if the right hon. Gentleman's attitude amounts to this, that he openly avows his objection to this policy of breaking up the grass land for the purpose of creating economic holdings upon them, then there is an irreconcilable difference between us that nothing will bridge over. I do not desire to speak at any length. Indeed, I have only risen for the purpose of very briefly saying this, that the view I ventured to express immediately after the Bill was introduced has been confirmed by all that has happened since, and by my further consideration and study of the Bill; and I have been requested by my colleagues of the Irish Party to-day to stand up at the earliest opportunity to give a thorough and hearty support to the Second Reading of the Bill. I do not think I need dwell for more than a moment on what we regard as the salient advantages of the Bill. The right hon. Gentleman sneers at compulsion. I remember well in 1903 when we desired that compulsion, so far, at any rate, as the congested districts were concerned, should be put into the Bill—I remember very well the attitude the right hon. Gentleman took up. He argued that compulsion would not be necessary, but he clearly indicated that he desired to have these rotten and wretched communities broken up, and that if compulsion was necessary he would not shrink from proposing it. He did not propose it because he did not think it would be necessary, and he had his way. Without compulsion he must know the work of the congested districts cannot go on. So far back as 1895 the Congested Districts Board, in a report which I quoted to the House more than once, and which was signed by the present Leader of the Opposition and his brother (Mr. Gerald Balfour), then the Chief Secretary, asked for compulsory powers, and said that without them it would be impossible for them to carry out their work. And that demand of theirs has gone on increasing in volume and strength ever since, and I doubt very much whether any responsible person in Ireland will take up the position that it is possible for the problem of congestion to be successfully remedied unless compulsory powers are given to the Congested Districts Board. This Bill gives compulsory powers to the Estates Commissioners as well. We have always believed, and I have never heard it questioned, that there would be a residuum of landlords, at any rate, outside the congested districts to whom compulsion would have to be applied. There are Clanricardes in other places than Galway. If this Bill passes you will now be able to deal with Lord Clanricarde—and I should think Unionists would be delighted to see any Bill passed which would put an end once for all to Lord Clanricarde and the scandals of his estate —this will enable you to deal with Lord Clanricarde, and all unreasonable landlords in every part of Ireland, and inasmuch as the compulsion can only be put into operation on the initiative of two of the Estates Commissioners—[a laugh]. The Estates Commissioners were appointed by the late Government of which the right hon. Gentleman was a member—and inasmuch as compulsion can only be put into operation at their discretion, I think the provision of the Bill is a moderate provision. At any rate I can say for it that that provision will be intensely popular in Ireland, and if there was nothing else in the Bill of value it would be impossible for us to vote against the Second Reading. I will not deal with the question of future tenants, or any matters which may be more properly dealt with in Committee, but I want to say a word in reference to the zones, because the right hon. Gentleman has spoken of that. Of course, all through from the date of the introduction of the Act of 1903 the Irish Party endeavoured to do away with the zones. We succeeded after a very great struggle, and—after what was in the nature of a crisis in the life of the Land Bill—we succeeded in getting a concession excluding non-judicial tenants, and the Bill then proceeded, but from the first we never disguised our view that we did not approve of the zones. The proposal of the Bill is not to abolish the zones, it is to enable the Estates Commissioners, if they choose, to institute an inquiry as to the security for value and also as to the equity of price. Let me ask the House if that is an unreasonable suggestion. There have been cases with which the House is naturally not familiar, of the grossest scandals arising in connection with the operation of zones. I ask an Englishman to consider for a moment. If the price agreed upon between landlord and tenant—the tenant may have been pressed by a load of arrears and a hundred and one circumstances—if the price agreed upon between the landlord and tenant falls within the zones, then the authority which is to lend out your money for the transaction of purchase must lend it, no matter how exorbitant the price may seem to them and no matter how ridiculous the security may seem to them. Some of these cases came to the Court, where the Estates Commissioners endeavoured to put a stop upon the operation of the Act, where they were unanimously of opinion that the price to be paid was four or five times the value of the land, and, therefore, the security for the State was bad and the price inequitable as between landlord and tenant; and yet, although they were convinced of that, they were not entitled to hold an inquiry, and if they did to justify their view, they were not entitled to stop the sale. Is not that an absurdity from every point of view, from the point of view of the tenant and from the point of view of the taxpayer? Is it not an absolute absurdity? And this Bill does not provide that in every case there shall be an inquiry of this kind. The right hon. Gentleman must unintentionally have misled the House in this matter. He said that if this Bill were passed there must be an inquiry in every case. Nothing of the kind. That is not the Bill. The right hon. Gentleman may have told us what his three officials directed by himself meant to do. He may tell the House that they will act as lunatics, but he cannot say that they are compelled to do so by this Bill. Under this Act there need be no inquiry unless the Commissioners so wish, and if the case of some poor barren district comes before the Commisioners and they find that the tenants are paying a price equal to twenty-six or twenty-seven years purchase, if they learn in addition to that that there is a load of arrears on these people weighing them down and preventing their being free, is it to be said that they are to be deprived of the power to investigate that state of things and to find out whether it is a free and a just bargain, whether the price is equitable, and whether the security to the State for the money advanced is good? That is all that is asked, and that is all that is provided by the Bill. There is one question I would ask the Chief Secretary because it has been put to me by some of my [colleagues who are not clear whether the description of inquiry into the equity of the price and the value would apply to the cases of pending agreements where the estate has not been declared to be an estate. I understand that, where an estate has been declared by the Commissioners to be an estate there the matter is concluded. In a considerable number of applications, amounting to more than half, the estates have not been declared estates, and I want to know whether this power of investigation as to price and equity between landlord and tenant would apply to them. With reference to the provisions of the Bill dealing with the Congested Districts Board we consider that the provisions are not only satisfactory, but, if we can use such a term about the British Treasury at all, liberal. The income of this Board will be raised from £85,000 to £250,000. There will be a reconstitution of the board of representatives from the nine congested counties, and in my opinion the provisions generally of that part of the Bill are satisfactory, and carry out in the main (I do not now go into details), the recommendations of the Dudley Commission, and give effect to the demand we as a Party more than once made in this matter. On the question of finance I have very little to say. I object, as the right hon. Gentleman objects, to the new stock, with its increase of interest to the tenant. That portion of the Bill was drafted in entire contradiction to the views of the Irish Party. That is a very serious point upon which we have not been able to come to any agreement at all with the Government. The position we took up, and still take up, is perfectly plain. We say that these losses on flotation (I am not speaking of the incidental working losses which are included), were never intended to be borne by the ratepayers of Ireland. Every one admits that. We have demanded that these losses on flotation should be taken over by the Treasury. Now what have the Government done? They met us half way, I admit. They have lifted the liability for the loss on flotation entirely off the shoulders of the ratepayers, not only on the £53,000,000, but for the whole production. But they have taken on their own shoulders only the loss on flotation of the £53,000,000, and have put the loss on flotation of the rest upon the shoulders of the landlords and the tenants. We protest against that, and we are sorry that the Treasury by this half measure have not treated the finances of the Bill satisfactorily. We take up the position of demanding that the whole loss on flotation shall be thrown upon the Treasury, and inasmuch as the working of the Act up to the present has not cost the British taxpayer practically anything, it is not too much for us to ask that the whole of the future loss on flotation should be put upon the British taxpayer, especially as the Ministers responsible for the Act of 1903 tell you plainly that that was the intention. On the question of bonus we are not satisfied. The right hon. Gentleman the Member for Dover founded an argument upon the particular scale which is in the Bill. Now our position is this. We are in favour of a graduated bonus, but we are against the scales. We have always been in favour of a graduated bonus. In 1903 we made it a question, and we again and again asked for it on the simplest grounds of justice. It seemed to us an unfair thing that the men who got the largest amount of purchase money should get the largest amount of bonus. What was the bonus originally intended for? It was accepted in this House upon this ground, and would never have been accepted by Englishmen except upon this ground — as a device whereby there might be bridged over the gap between what the landlord might fairly be expected to take and what the tenant might fairly be expected to give. At present, and under the Bill of 1903, the higher the price the landlord is getting the larger the amount of the bonus, and the lower the price the landlord is receiving from the tenant the lower the amount of the bonus. We have, therefore, always contended for a graduated bonus, and we are in favour of that provision in the Bill. But we do not agree to the figures, because according to the figures of the Schedule the total amount available for paying the bonus would in future be far less than 12 per cent. on the total amount of the purchase money. We are quite willing to do what we can to aid the landlords in getting from the Treasury an amount—[Some MINISTERIAL cheers]. Yes, hon. Members ought to remember two things. First of all, it is not your Treasury. It is our Treasury as much as yours. When I am speaking of the taxpayer I am not speaking of you; it is of the Irish as well as the English taxpayer; and when I am asking for this I am only asking for what was, in my judgment, part of the bargain of 1903. So far, therefore, as the bonus is concerned, that is all I have to say. There is one small matter of which I ask the Chief Secretary to take a note. There is a provision which he did not explain when bringing in the Bill, and which I never heard of before, that 5 per cent. is to go to the remainder man instead of to the tenant for life. That is a provision which will very seriously impede the working of the Land Act in Ireland. It is a provision which must have been thoughtlessly put into the Bill. I say most decidedly that the inclusion of that provision will have a most injurious effect on the working of land purchase, and I ask the right hon. Gentleman seriously to consider whether it was put there in pursuance of any settled policy, or whether, in view of the opposition which it is certain to arouse among all classes in Ireland, it may be allowed to go by the board. What is the future of this Bill? I invite the Chief Secretary to speak to us upon this matter. I had hopes, when the Bill was introduced, that owing to the then appearance of the Parliamentary Programme, either one of two things might happen. I was hoping that the other House would pass the Second Reading of the Licensing Bill, not for the sake of the Licensing Bill—I did not care one way or the other—but because I believed that if they did that, and if the Education Bill went up to the Lords, it would be necessary either to adjourn the session over Christmas, or to hang up those Bills. The Licensing Bill and the Education Bill having disappeared, that leaves us face to face with a situation in which I think it is hard to expect the Government to adjourn the session over Christmas, and in which, if you introduced this novel procedure of hanging up Bills, ours would be the only Bill of sufficient importance to be carried over. Can the right hon. Gentleman hold out any hope that this can be done? It would have an enormous effect in Ireland. It would be taken by the Irish people as an earnest of good faith and of determination on the part of the Government to press on this Bill. I do not know whether it is possible to take that step. I know that it practically must mean something in the nature of a revolution in the procedure of the House. If, however, the Government do not make a satisfactory statement on that point, I ask the right hon. Gentleman to tell us something about the future of the Bill. What is he going to do with it? Parliament will be meeting again in February. Is he prepared, if he could not carry it over, to introduce it at once on the first night, as an ordinary Bill without discussion, take the Second Reading instantly, and to go at once to the Committee stage of the Bill? Of course hon. Gentlemen above the gangway do not want the Bill, but I am speaking for those who do want it, and I am speaking to the Government who presumably want it too. The right hon. Gentleman in opening his speech the other day, spoke about the comparative peace and disorder of different portions of Ireland. If every Nationalist representative went through the country preaching peace and contentment without a measure of this kind, it would be impossible to preserve peace in Ireland. On the other hand, if the people see what they believe to be a real and genuine attempt to grapple with the grievance from which they suffer—an attempt to break up this hateful and accursed ranch system in Ireland—if they see an attempt to grapple with the remaining evils of the land question I have no hesitation in telling the right hon. Gentleman that he will not only preserve peace in Ireland, but will do it with the greatest ease and without the use of a single policeman. These were very serious considerations, and I ask the right hon. Gentleman to give a careful hearing to them. I can say further, for myself and my colleagues, that though there are Amendments we will require in the Bill, and although in Committee we will challenge portions of it, and work hard to amend other portions, yet speaking of it as a whole, we regard it as a great and far-reaching measure of reform, and we shall give it in the division lobby our hearty support.

Mr. **WILLIAM O'BRIEN** (Cork) said it was with genuine regret that he found himself differing very gravely indeed, in respect of this Bill, from so many of his Nationalist colleagues and from Ministers and Members on the other side of the House, of whose desire to do the very best they could for Ireland, he, for one, had long been thoroughly convinced. That might be the last occasion on which he would be compelled in that House to interfere with the plans of those who were responsible for this Bill, if, during the recess, after mature consideration, and with a full sense of their responsibility, they decided next session to adhere to the lines of the present Bill. There was an air of unreality about their whole proceedings that night, but perhaps he might be permitted to say that he had in some small way responsibility, and on that responsibility he had staked his political life. For that reason, he trusted he might reckon upon a little of the patience which that House generally showed to the view, however unpalatable, that at all events he had held for a great many years of stress, and of misconstruction now on one side of the House and now on the other. Frankly, the more he examined and thought over the Bill, the more irresistibly he was driven to the conclusion that it would most grievously disappoint the benevolent expectations with which he was quite sure the Chief Secretary had conceived it. To say the least of it, it would most seriously prolong and endanger the progress of land purchase, if it did not strike a fatal blow at that happy transfer of the whole soil of Ireland from the landlords to the people, on which were based their hopes not merely of the agricultural prosperity of the country, but of still higher national objects to which, in the minds of some of them, a genuinely united Irish nation alone could lead. He was afraid that the congestion clauses would be found as inadequate and ill-advised, from a constructive point of view, as the rest of the Bill was in his opinion from the purchase point of view. He would ask the House to bear in mind how matters stood. Wherever the Act of 1903 had been worked, by universal admission it had within five years wrought the happiest transformation that was ever effected in the history of any country—the only happy transformation that ever was effected in Ireland by the legislation of that House. The Chief Secretary himself told them on the First Reading of the Bill that this policy might be open to criticism, but added—

> "By the common consent of all critics, whether native or foreign, it is admitted that wherever this policy has had a fair chance, and it is not in all parts of Ireland that it has had it, it has already worked exceedingly great marvels; but though we are dealing with a process that must take a long time, even already that process has changed the face of Ireland."

It was that policy which had wrought those "great marvels"; but he was afraid the right hon. Gentleman was going to guillotine it by this Bill, and in point of fact it had been guillotined already by the Treasury. The Chief Secretary went on to say, which was very gratifying, that—

> "To do anything which would arrest the progress of land purchase would be a blunder, economically and politically, of the very first magnitude."

Yes, but he was afraid that this was the blunder of the first magnitude which the Chief Secretary had committed in introducing this Bill. He was afraid there was no escape from the fact that, whether the Bill passed or not, the process of land purchase such as they had known it, and such as the right hon. Gentleman had described, was, for some years at all events, at an end. If the Government, after nine months for deliberation, could not see their way without introducing a Bill revolutionising the whole system of purchase, then the very least they might have done was to let well alone pending fresh legislation. What had they done? Usurping the functions and forestalling the decision of that House, using powers that were never intended for such a revoluntionary purpose, two officials of the English Treasury had issued a ukase at one stroke cutting down the bonus from 12 per cent. to 3 per cent., thereby utterly disorganising the whole machinery of the Act of 1903 in its very mainspring, and, practically speaking, making purchase at all events for some time to come virtually an impossibility. What was the state of things at this moment? First, as to the landlord. The landlord, under these regulations of the Treasury, had not only now to face an immediate loss of 9 per cent. on his bonus, but for an indefinite period he did not even know in what form he was to be paid for his land. All that he knew was that, if this Bill passed, he would not be paid in cash as under the Act of 1903. But he would have to face another and additional and perhaps a very serious loss in stock. That was to say, a loss of 14 per cent. Did any person seriously believe that any Irish landlord who was not bankrupt would dream of selling at such a loss as that within a year and a half of a general election, and when the landlords could, perhaps, calculate on having a Bill of a very different kind? What was the position of the tenant? Either there could be no land purchase at all or he would have to make up to the landlords that loss of 14 per cent., or he would have to carry on a civil war to settle the difference. Even in the extremely unlikely contingency of their coming to an agreement under such circumstances the tenant did not even know what his future annuity would be. All he knew was that if this Bill passed his interest would be raised to 3 per cent., and it might be varied in some way or other by some other Government. That was chaos come again until the somewhat precarious date when this Bill passed into law. Suppose it did pass, then he held that the whole system of land purchase, which had produced the marvellous results described by the Chief Secretary, in all its essential particulars was absolutely at an end. The three great inducements to the landlords which made land purchase work would be destroyed. The bonus to the landlord in its new shape under this sliding scale, which looked so seductive but was so fallacious, would be little above 3 per cent. The bonus on the sales at the average prices which had hitherto prevailed—twenty-three years purchase—would be only 5 per cent., and, as if that was not sufficient in the way of destroying one of the principal inducements to sell, they had this provision in Clause 5 depriving the tenant for life, who might be induced to sell, of the greater part of the bonus that was left, and handing it over to his remainder-men and mortgagees. He was glad to hear the hon. Member for Waterford condemn that provision in such strong terms, and he failed utterly to understand what the object of that provision was, unless it was a wanton attempt to make land purchase impossible. The landlord would have lost the inducement of the bonus and of the payment in cash, and he would have to face the unknown future as to how he would be paid with the almost certainty of a considerable loss, owing to the fluctuations of the money market. The position of the tenant would be that while his neighbour on the other side of the fence who had purchased in 1903 would already be advanced five years towards complete ownership and towards completion of his annual payments, and would only be paying 2¾ per cent. interest, the new purchaser would have to pay 3 per cent. on an increased annuity. The increase would not be in reference to the Sinking Fund, but would be for the benefit of the Treasury to guarantee them against any possible loss, without shortening that tenant's term of sixty-eight and a half years by a single hour. Quite obviously, either land purchase would have to come to an end entirely, or the landlord would be driven to extort from the tenants the amount of his loss by the new arrangement, or the tenant would be driven to extort his loss from the landlord. He would have to give his landlord three years less purchase in order to bring him to an equality. But if he had to do that he would have to do it by a new agrarian strife, by a new "no rent" war. It was one of the terrible drawbacks of the Bill that the only way it prescribed of deciding whether it was the landlord or the tenant who was to bear the loss was by a new agrarian strife and "no rent" struggle, and they who had gone through the mill for many a hard year in Ireland knew that a new agrarian strife would not merely injure one side or the other, but both parties would most cruelly suffer, and the whole wretched country whose face the Chief Secretary had described as being happily changed would be changed back to a scene of uncertainty, misery, and tribulation. Thus far his obversations had been directed to any new purchases which might be possible. Now as to transactions which had already taken place. What would be the state of things as to the £52,000,000 due by this great Empire to Ireland? They, as far as he could grasp the Bill, only positively bound themselves to pay their debt at the rate of £4,000,000 in each year. All the rest was problematical and conditional upon the landlords accepting the deduction of £8 in every £100 from the purchase money. Suppose the whole scheme worked full steam ahead at the very maximum of, he thought, the £8,000,000 or £9,000,000 a year which they would go to, even then, and it was a most impossible contingency, it would take something like seven years to wipe off arrears, and during all those years they would have certainly 100,000, probably 150,000, tenant purchasers paying 3½ per cent., 4 per cent., or even 4½ per cent. It was admitted in reference to the Boyton Estate in County Donegal that there were some 186 tenants, and the rate of interest payable varied from 3¾ per cent. to 5 per cent., and he had in his pocket particulars of a similar case from another county. He could not calculate himself what the exact actuarial difference to the tenants would be, but so far as he could judge the new terms would add something supplementary to the tenant's price before the whole transaction was completed. To come back to the existing transactions he had tried to induce the Estates Commissioners to furnish the House with some exact information as to the amount in hard cash that these tenant purchasers would be losing, who had trusted to their Imperial word and who were now paying 3½ per cent., 4 per cent., and even 5 per cent. He could not get that accurate information and he had had to make the best calculation he could with the materials to his hand. But he did not believe any responsible person would deny that in hard cash those 100,000 or 150,000 Irish purchasers would, every year, until arrears were wiped off, be suffering a loss of at least £300,000. That was to say, these unfortunate tenant purchasers were loaded with a liability of £300,000 a year, an amount which would have enabled the Treasury, if they used it in a proper way, to complete the abolition of landlordism in Ireland. That was not amending the Act of 1903.

It was blowing the Act sky-high. It was not observance of their solemn Imperial undertaking to landlords and tenants. It was a violation of that undertaking. It was sentencing to slow death that process of land purchase by the abolition of the bonus and of the payment in cash. For what reason were they subjecting themselves to this risk? It was common ground that it was not through any fault of the Irish people, either landlords or tenants. They had both performed their part of the contract of 1903 with the most splendid fidelity. It was simply and solely for the most extraordinary and unprecedented reason that the success of their own Act was such that it was inconvenient for budgetary calculations and for political exigencies. It was adding insult to injury to tell them that this disorganisation and destruction of land purchase was a boon for which they ought to be thankful. Where in Heaven's name did the liberality of the English Treasury come in? They were told that they were relieving the Irish ratepayer of a terrific liability, and the Chief Secretary had described it as a nightmare afflicting the whole population, not one-third of whom owned land enough to feed a lark, and they were to be flayed alive to the tune of £600,000 to finance an Imperial Act of Parliament. He had yet to meet the intelligent Irish ratepayer who ever lost one hour of his night's rest through the terror of this nightmare; on the contrary, they regarded it as a clumsy Treasury contrivance to terrify the Irish ratepayer into believing that any scheme of land purchase would be a curse to the country. If he might say so without offence, this whole bogey of a tremendous escape of the Irish ratepayers from the financing of £180,000,000 for the benefit of the Empire was the veriest sham and humbug ever attempted to be palmed off. The Prime Minister himself agreed twelve months ago that this liability could never be enforced, and was never intended to be enforced, and the right hon. Gentleman the Member for Dover, the author of the Act, said the same thing. The whole thing was a blunder committed by a Government draughtsman in Clause 36, which was never debated in this House, not from any fault of the Irish Party, but because of the system adopted by both parties of attempting to hustle important Irish Bills through in the dying days of a session, under the perpetual threat that if they tried to discuss them properly they would be lost. There was also the danger that as soon as the Irish Development Grant was exhausted, no doubt land purchase might come to an absolutely dead stop, because the Treasury would refuse to issue any further loans. That was the utmost danger that the Irish taxpayer ever suffered in reference to this liability, and he ventured to say that no sane English Minister of any party would ever dream of attempting to impose this utterly unjust burden upon the Irish people, and if he did, the Irish ratepayers would find a very speedy and effective method of making that English Minister regret his action. As to all this laudation of the liberality of the British Treasury, it might seem very ungrateful but his reply to it was: "Thank you for nothing." It was admitted as to future loans that the device of the Treasury was simply to say that the Irish ratepayers were at no loss because the losses through flotation were to be borne, not by them, but by the Irish landlords and the tenants. The case was worse as to the existing liabilities, because while the Treasury nominally took upon its own shoulders the possible losses, they took good care to make the Treasury absolute masters of the rate of speed which reduced their real liability to vanishing point, for they practically brought land purchase to an end by abolishing the bonus and payment in cash. As far as he could understand the Bill, the Treasury assumed a charge of £20,000 a year for every £5,000,000 in cash, which was probably the annual call that was likely to be made upon them. There was still £60,000 of the Development Grant left, and that would be most ample to cover any liability of the Treasury for the next couple of years at all events, and after that the deluge. The Government were now actually proposing to force through the House this session a Bill which would increase the emoluments of the Royal Irish Constabulary by £15,000. There was a rather shadowy promise of a possible increase in the fund hereafter. Apparently all that the Government had done was to cut down the bonus to a figure which he believed the £3,000,000 still left would amply satisfy. There again the liberality of the Treasury was practically non-existent. As to the congested districts, what was really wanted was a free grant of £3,000,000 or £4,000,000 to take 20,000 migrants from the congested districts to the grass lands of the West. As to the additional £160,000 a year, half of it would go in salaries and travelling expenses. The nine counties would squabble for the balance, and whatever was left would be devoted to purposes, no doubt praiseworthy, of permanent national reform. There, again, the liberality of the Treasury would be a mere drop in a tea cup. He had read this Bill and he could not find in it any immediate call for the generosity of the Treasury except for the payment of a new swarm of officials, while the beginning and end of wisdom of the Government of Ireland was to increase instead of decrease the emolument of the army of policemen in Ireland—that was the secret for the safety of Ireland and the Treasury. As to the cry that the landlords had received too much, and that the whole question of the bonus was really a landlord's question, that, in his opinion, was most stupid and cruel. The very basis of the agreement of 1903 was that for the first time in history the landlords and tenants were placed in the same boat, and they could not injure the landlord's power of selling without injuring the tenant's chance of purchasing. They had heard of inflated prices. It was admitted that the prices under the Act of 1903 had been inflated, but if they had not been inflated by the bonus more than 200,000 Irish farmers would still be the serfs of the rent office in Ireland. There had been excessive prices paid over the greater part of the country. They had proved in the county of Cork—[OPPOSITION laughter]—by figures that no merriment could wipe off, that under the Act of 1903—by the same system of friendly amicable arrangement and legitimate popular combination, which was just as much open to every other county in Ireland—they had bought not merely in the better off districts, but also in the congested districts as well, over £9,000,000 worth of land upon terms two years purchase better than the average for the remainder of Ireland. He was prepared with the figures if they were contested. They had purchased at even a higher percentage than the average of 28½ per cent. under the old Ashbourne Acts. There was only one other remark he would make, and he should be sorry to touch the susceptibilities of some hon. Members in doing so. It was just because the plan they had agreed upon to fight for better terms for every part of Ireland failed, that in the winter of 1903 when this Act came into operation he withdrew altogether from Parliament and from the United Irish League rather than have any internal quarrel about the settlement. He passed from that now. He confessed that he could not pretend to offer any way out of what he was sorry to say was an *impasse*. There would have been no earthly difficulty four years ago in getting this Land Act amended in every necessary particular by the same method by which it was carried through Parliament with practically unanimity, both in Ireland and in England. Even now those who were of his way of thinking made no extravagant demand. They were fully alive to the difficulties of the money market, and to the great pressure for extremely good purposes on the Budget of the Chancellor of the Exchequer. For the moment, all that would have been essential would have been for the Government to agree to raise a loan of £15,000,000 or even £10,000,000 to keep land purchase going under the old conditions until better times came and new legislation could have been passed. To his mind there would have been no insurmountable obstacle whatever in striking up such a *modus vivendi* as would have devoted as large a sum as at the very least £1,000,000 in this Bill for making some great experiment in the colonisation of the grazing lands of the West of Ireland. Even now, if only the rights steps were taken, he was confident that there would be no impossibility about framing and carrying through both Houses of Parliament a Bill that would make land purchase thrive and prosper instead of killing it. As far as any power of his went in that direction, after the attitude of the Chief Secretary and the Prime Minister, he must say that that was at an end. He had done his little best without regard to persons or to parties, without regard to any of the Chief Secretaries of both the English parties, to see this land purchase settlement through in a thorough-going and honest way. If it were permissible for him to say it, his friends and himself did some rather difficult spade work to smooth the path of the Chief Secretary himself. They gave up interests and aspirations which were very dear to them in order to remove what might have been a fatal obstacle to his University Bill, and if the county of Mayo, which had a better right and better justification than any other part of Ireland, for any protest against the ranching system, no matter how extreme, had addressed itself to more drastic measures—possibly the right hon. Gentleman had not forgotten that some of them did not hesitate to risk unpopularity and misrepresentation by going down to the very centre of the grazing district to smooth his path. He confessed he could say nothing more than that he should, for a time at all events, stand entirely aside and leave the right hon. Gentleman and the Members of the Irish Party, who undoubtedly expressed themselves very strongly in support of the Government in reference to this Bill, a perfectly fair field for the effectuation of their policy. If on ripe reflection they should finally make up their minds to persevere on the lines of this measure this much he felt compelled to say, that in his most sorrowful and most reluctant opinion, they were in danger of throwing away the very best chance England ever had of effecting a permanent reconciliation on this question. If, unhappily, the effect of their action should be to continue agrarian strife in Ireland for another generation, the first real stress that came there would be, if not a revolution, an interruption and mutilation of the land settlement, and they would find themselves to have set the example of breaking an engagement. For the sake of saving the Treasury a sum which to another generation would seem to be too paltry for words, they were now tearing to pieces this treaty of peace which this Parliament and this Empire, by every test and by every solemnity that could bind them, entered into with the Irish tenants and Irish landlords. He would so far defer to the decision of his colleagues on this very solemn issue, that he should not vote against this Bill, and should probably interfere no further in any matters relating to it. But no human consideration would induce him to make himself responsible for the policy or for the framework of the Bill or for its results.

*MR. HAROLD COX (Preston) said that he disapproved of the Bill as strongly as the hon. Member for Cork, but for exactly the opposite reasons. The hon. Member had just told the House that his objection to this Bill was that it did not give a sufficient amount of money from the British taxpayer. He objected to the Bill because it imposed increased burdens on the taxpayers of the United Kingdom for the benefit of Irish landlords and tenants, many of whom were already very well off, and because it violated the agreement entered into in 1903. The Report of the Departmental Committee on Irish Land Purchase Finance, presided over by the present Minister for Education, said that the British taxpayer had already done enough for Irish landlords and tenants—he himself confessed that he thought it was too much. In the words of the Report—

> "In our opinion, the contribution made by the taxpayer to land purchase is fully sufficient and could not equitably be increased for the purpose of relieving the Irish ratepayers of a charge imposed upon them by the Act."

The Committee enumerated a large number of increased charges placed on the taxpayers of the whole kingdom since the passing of the Act of 1903 for the benefit of Ireland, and then the Report went on to say that contrary to expectation there had been no reduction in the annual expenditure on Ireland. Hon. Members would remember that when the Bill of 1903 was passing through the House it was said that that measure would result in an immediate reduction in the cost of Irish administration. The Departmental Report pointed out that there had been no such reduction as had been hoped for from the operation of the Act. He would point out that the grants from this House for purely Irish purposes were to be increased by this Bill by about £150,000 a year, and in addition an indefinite new liability was to be thrown on the taxpayers for loss on the flotation of loans—a loss which had been specially reserved in the Act of 1903 to be provided out of the Irish Development Grant or, when that was exhausted, to be paid for by the Irish ratepayers. That was part of the bargain. He was not in the House at the time, but in another quarter he opposed a bargain which he thought to be unfair to the British taxpayer. He wrote a long letter to *The Times* protesting against this burden on the British taxpayer. He happened to be then the Secretary to the Cobden Club, and an elderly gentleman who read that letter in *The Times* was so struck with it that he sent him a communication stating that he had been so impressed with the good work that the Cobden Club was doing that he would leave the club £1.000 in his will. He believed that the club had since received this bequest. He contended then, and he still believed, that they were deluding themselves in using the words land purchase. There was no land purchase. Purchase implied that a person gave something for that which he acquired, but the Irish tenant gave nothing. Instead of giving anything, he got a reduction on what he previously paid. The whole purpose of this Bill and previous Acts was to enable Irish tenants to get their rents reduced, and Irish landlords to get a higher price for their land than they could get in the open market. He was very glad that the Irish landlords and tenants should be benefited, but what he objected to was that they should be benefited at the expense of the taxpayers who were often poorer than themselves. They were apt to assume that the Irish tenant was always a poor man, but it must be recollected that the Act of 1903 applied to farms up to the value of £5,000. Was a man who bought a farm for £5,000 to be called a poor man? If so, he supposed it was on the same ground that the man who had £1,000 invested in Consols got a pension under the Pensions Act of the Chancellor of the Exchequer. That, incidentally, was what always happened when the State started these charitable schemes. They did it on behalf of the poor man, and the rich man dropped in. The Duke of Leinster, for example, got £80,000 for graciously consenting to sell his land at a price far above the market value. There was nothing in the facts before them to justify them in imposing these charges on the taxpayer. It was always argued that there was some great evil in dual ownership which required a drastic remedy, but dual and triple and quadruple ownership was common all over the world. They very seldom had single ownership, and when they did there was generally a mortgagee in the background. The presumption on which they were asked to make this huge sacrifice was that the rents were exorbitant, but was that the case? Obviously not, because everywhere in Ireland they found people willing to buy the right to pay those rents and give a handsome price for the privilege of paying them. He would quote two cases. In one, according to the auctioneer's advertisement, the farm contained about twenty-seven acres of well-fenced land, close to a public road, with a right of turbary on the bog adjoining, and with grazing rights over a large tract of mountain. It also contained a "substantial dwelling-house with all necessary out offices." The judicial rent of this desirable property was £8 a year and by auction the tenant's interest fetched £400. Could they call that an exorbitant rent when another man was ready to pay £400 for the privilege of paying it? In another case of a small farm the rent was £3, and the Poor Law valuation was also £3. The tenant's interest was sold to his son for £280 for the privilege of going on paying the rent, and as soon as he got it, the son demanded that the rent should be reduced. What justification was there for taxing everybody in the United Kingdom to subsidise such men as these? We had a tax on tea and sugar at the present time which the very poorest in England and Ireland paid. What justification was there for maintaining that tax on people in order to enable these people who had paid these large sums for tenant right to have a reduction of what they had agreed to pay? He knew labourers in this country who would be only too glad to get into a position even approximate to that of the Irish tenant. He knew one who paid rather more than

£8 for a cottage and about a quarter of an acre of land, and who worked in his garden after his day's work on the farm was over, and who got up at night when there was a moon to go on working. Did Parliament come forward to help him with a grant of public money?

MR. KETTLE (Tyrone, E.): Why does it not?

*MR. HAROLD COX asked where the money was to come from. They could not go on doing these things without imposing a burden on the taxpayer that was too heavy to be borne. How did this Act work out? As regarded landlords it was admitted universally that the effect of the Act of 1903 was to increase the value of Irish land by several years purchase. He took again the Departmental Report which, after analysing all the figures and summarising the results of the valuations, said—

> "Indeed, it would appear from the evidence which we received that the price obtained by the landlord for his land in many cases exceeds (with bonus) the price paid for the best secured ground rents in Belfast."

Was it just that Parliament should use its position as trustee of the taxpayers of the country to increase the value of Irish land? The ultimate result would be that instead of getting rid of absentee landlords, they would create one great absentee landlord—his right hon. friend on the Treasury Bench, who would be the absentee landlord for the whole of Ireland without that personal interest which some landlords had. They were told that the object of so-called land-purchase in Ireland was to get rid of the flesh and blood landlord, yet it was part of the compact of 1903 that the flesh and blood landlord should remain in Ireland on his own estate. He was to keep his mansion and his home farm, and was not to be driven out of the country. He was glad to see that the landlord was not altogether so obnoxious. It was clear that the Act of 1903 must go on. They had made that bargain and must adhere to it; but they must adhere to it literally. A bargain was a bargain to both sides. The Bill did not adhere to it. He admitted the difficulty that had arisen owing to many causes, largely owing to the decline in Consols, but how could that be met? The Act of 1903 provided the means of meeting it. It specially provided that the responsibility for issuing the loans should remain with the Treasury. There was no obligation to issue the whole volume of the money that the landlords and tenants called for. The Treasury could decide at what moment the money should be issued. They still had that power, and could use it, and could say that they would not issue any more loans until the state of the market was more satisfactory. Where was the hardship on the Irish landlord, or tenant? The Act provided for the contingency that where the Treasury could not pay cash down the tenant should pay interest on the purchase price. Taking the interest at 3½ per cent., the tenant gained no less than 14 per cent. over his previous rental, which was a very important gain. But that was not the landlords' loss, because it was estimated they must deduct at least 10 per cent. off gross rentals for the cost of collection; so, at the outside, the landlords' loss by waiting would be only 4 per cent. off his net rental, and in return he got the greater advantage of having the security of the Land Commission instead of the security of the Irish tenant. But if he objected to this small loss, and the tenant was very anxious to go through with the purchase, they could agree to a revision of the rate of interest—there was nothing sacred about 3½ per cent. The tenant, if he wanted to be converted into a freeholder, could bargain and pay a higher rate of interest. It was a matter which concerned the landlord and tenant alone. At the present moment their relations were regulated by the Act of 1881, with the result that the tenant got an enormous advantage, which no English tenant possessed, of having his rent regulated from time to time by a judicial tribunal, with the result that he got the farm at a very much lower rent than its true economic rent in the open market, and he was so content with that position that he would not go beyond it unless he was bribed by the British taxpayer's money to do so. He objected to that. If the landlord and tenant wished to change the present relationship, let them agree as to terms and go forward. Parliament had promised to help them with the credit of the United Kingdom, but Parliament could not go beyond the advantages which the use of that credit afforded. Those advantages were less now than in 1903 because the credit of the kingdom had declined, but the Irish landlords and tenants still had the full use of the national credit and had no right under their bargain to ask for anything more. One other point. It was said they owed this to Ireland because of the over-taxation of that country. That alleged grievance had been exposed again and again. If it were true, which it was not, that Ireland was overtaxed in comparison with the rest of the Kingdom, then obviously the remedy was to reduce the taxation of Ireland. But they were not doing that, they were increasing the taxation of Ireland and England in order to put money into the pockets of the landlords and reduce the rent paid by the tenants. The hon. Gentleman who spoke last virtually threatened that if they did not give what he called favourable financial terms there would be another land war in Ireland. He hoped that the House would not be misled by that kind of argument and would never accede to such threats as that.

MR. WILLIAM O'BRIEN: I did not threaten it. I regard it with absolute horror.

*MR. HAROLD COX was glad that his hon. friend agreed with him, but he mentioned it as a possibility, and in the sense in which he used it it almost amounted to a threat. It was a threat that ought not to be used, and, if used, ought to be resisted. Because if that House once got in the habit of paying cash down to buy peace, there would be plenty of peace to be bought. He opposed the Bill in the interests of the British and Irish taxpayers, and even more in the interests of Ireland herself. He looked forward to the time when Ireland would be a self-supporting and economically independent country, but she would never be in that position so long as she looked, not to her own energy, but to what she could get from the British Exchequer.

*MR. LONSDALE (Armagh, Mid) said he could not conceive of any question which was of more pressing importance to Ireland than that of facilitating the operation of land purchase. The financial difficulties which had been threatening to bring operations to a standstill had excited a feeling of serious alarm throughout the country, and they had been waiting for a long time to learn what the Government proposed to do. A year ago the present Prime Minister, then Chancellor of the Exchequer, promised in the most definite language that the Government plan would be ready before Parliament met at the commencement of the present year, but month after month had slipped by without any announcement being made, and it was only now at the fag end of an autumn sitting—when it was out of the question to give immediate legislative effect to the proposals of the Government—that they were told what their purposes were. He thought this delay in taking action to meet a difficulty which everybody recognised to be most urgent required some better explanation than had yet been offered on behalf of the Government. The most pressing part of this problem of land purchase was the provision of sufficient money for making advances to the tenants and the increase of the staff of the Estates Commissioners to such an extent as would enable them to deal with the vast amount of work they had to do. But he had yet to learn that it was beyond the power of the Government to solve this problem without further legislation, if they had been so disposed. Why had they postponed taking action from month to month, and why had they chosen at last to embody their proposals in a Bill which everyone realised could not be passed this session, and which raised in the most controversial way the entire range of issues connected with the Irish Land question? These were the questions that were being asked in Ireland, not only by the people of Ulster, but by people throughout the length and breadth of the country, and he could assure the Chief Secretary that the anxiety which was so widely felt by all classes of Irishmen as to the future of land purchase, was not likely to be allayed by the Bill now before the House.

The Chief Secretary, when he introduced the Bill, told them that—

> "The whole peace and prosperity of Ireland was irrevocably bound up in and made dependent upon the success of land purchase."

He believed this statement of the right hon. Gentleman to be absolutely true, and it was because he held that opinion that he was opposing the Bill. He wanted to see land purchase carried forward on voluntary lines until every occupier of agricultural land was the owner of his holding, and he was sorry to say he saw no hope whatever in this Bill of any progress in that direction. The Chief Secretary must be aware that grave doubts had been widely entertained in Ireland as to the honesty of the intentions of the Government in this matter. He thought himself there were very substantial grounds for those suspicions, and there was really nothing in the Bill to show that the Government desired to expedite the settlement of this question. One fact which could not fail to strengthen those doubts was that in framing his Bill the Chief Secretary had —consciously or unconsciously—adopted the ideas of those leaders of the Nationalist Party who were opposed to any settlement of the land question before that of Home Rule. After a careful study of the Bill he thought its effect would be to arrest land purchase on voluntary lines and upset completely the agreement embodied in the Unionist Land Act of 1903. What was the present situation with regard to land purchase? The size of the problem had been stated again and again. It was sufficient to point out that so rapidly had agreements been arranged under the Act of 1903 that the Estates Commissioners had been quite unable to keep pace with them. The consequence was that at the present time, five years after the Act came into operation, there were uncompleted purchase agreements in the office of the Estates Commissioners representing in the aggregate the enormous sum of £52,000,000. In other words the State was face to face with the question of how to provide that huge sum of money in order to pay for the land which had been already sold. That being the extent of the problem the question arose how did the Government propose to remedy it? So far as the Bill itself was concerned it had very little relation to that part of the problem. The only provision which bore upon it in the least degree was Clause 3. That clause gave power to the Estates Commissioners to make advances by means of guaranteed 2¾ per cent. land stock instead of cash. The idea was to pay the landlords in stock, or partly in stock and partly in cash, but the conditions upon which the stock was to be offered were of such a nature as to make it practically certain that only in a very few cases would the terms be accepted. To offer landlords who had contracted for the sale of their estates on the basis of receiving payment in cash, 2¾ per cent. stock at 92 which was valued on the market at 86¼ was an absurd proposal. There was not the slightest possibility of any considerable number of landlords finding it worth their while to take advantage of that offer. The great majority would demand to be paid in cash. They were, therefore, thrown back on the cash proposals of the Government. These were not included in the Bill, but so far as they had been stated by the Chief Secretary they were of a character to delay land purchase rather than to hasten it. They gathered from the right hon. Gentleman's speech that for some years to come £5,000,000 a year was to be raised in cash, £1,000,000 was to be devoted to the congested districts, leaving only £4,000,000 in cash for the purpose of clearing away the £52,000,000 of arrears. The Chief Secretary had told them that arrangements were to be made to increase the output of the Estates Commissioners to £10,000,000 worth of agreements a year, but that would not help matters at all unless the cash was forthcoming. The Chief Secretary appeared to assume that the landlords would rush to take the 2¾ per cent. stock at 92 to the extent of £6,000,000 a year, but that was a most unwarrantable assumption. If the landlords refused to accept stock and the output, therefore, was to be limited to £4,000,000 a year, they were driven to the conclusion that it would take thirteen years to complete the purchase agreements lodged with the Estates Commissioners before 1st November last. That was what the Chief Secretary called expediting land purchase. These proposals might be acceptable to hon. Members below the gangway, because they were in accord with their Home Rule plans, but he could tell the Chief Secretary and the House that they were not satisfactory to the tenant farmers in his constituency. He was glad to say there was no county in Ireland where the farmers had taken more prompt and thorough advantage of the Act of 1903 than the county of Armagh, but owing to the very success which had been achieved in arriving at agreements his constituents were feeling the pinch of the difficulty which had prevented the raising of money for advances, and as a matter of fact, there were in County Armagh to-day no fewer than 10,000 farmers who had agreed to purchase their farms, but who could not be placed in the position of owners because the State was not prepared to advance the purchase money. Let the House consider the hardship inflicted upon the landlords and tenants by the delay in completing the agreements. The landlords were deprived of the use of the purchase money, and they were unable to touch the bonus. The purchasers, and it was the tenants' loss which gave him most concern, had to pay during the time of waiting a rate of interest on the amount of the purchase money which was considerably in excess of the annuity they would pay when the advance had been made. When he stated that on a very reasonable computation the monetary loss to this class alone might be put at £200,000 to £300,000 a year, it would be seen at once how little cause they had to thank the Government for their present proposals. The right hon. Gentleman had taken credit to himself for having relieved the Irish ratepayers from all possibility of having to bear the loss on the flotation of Irish Land Stock. He did not think there was any reason why Irish ratepayers should be excessively grateful for that provision. Ireland was entitled to considerably more than the Treasury would have to find under this Bill as a set-off to the large education grants which had been made to England and Scotland during the last five years. With regard to future operations, was the Bill likely to stimulate sales? On the contrary, he could not conceive of any scheme which would be more likely to stop the operation of land purchase altogether. The Government were warned that any material alteration of the main provisions of the Act of 1903 would bring land purchase to a standstill. Notwithstanding that warning they had persisted in making proposals to alter the Land Act in important particulars so as to disturb the foundations upon which that great measure was based. The Bill proposed that in future the payment for land would not be made in cash, but the selling landlord would be forced to take a new 3 per cent. Land Stock at par. The bonus had already been reduced from 12 per cent. to 3 per cent., and under the terms of the Bill it was to be regulated on a sliding scale. The tenants' annuity on the other hand was to be raised from 3¼ per cent. to 3½ per cent. When these three changes were taken into consideration it was impossible to avoid coming to the conclusion that their combined effect must be to put a stop to all voluntary sales under the Act of 1903. If the purchaser paying a 3½ per cent. annuity was not to be placed at a disadvantage as compared with his neighbour who had bought under the old conditions, and was paying on a 3¼ per cent. basis, it followed that the landlord must be prepared to sell at a much lower price. How many landlords would do so voluntarily; how many could afford to do so? The Land Conference agreement contemplated that the terms of purchase should be so arranged as to secure that, while the annuity which would be paid by the tenant would be substantially lower than his former rent, the purchase price would be such an amount as would give to the landlord his second term net rental. The finance of the Act of 1903 was arranged upon that basis, but this Bill would upset that entirely. A single illustration would be sufficient to show that the proposals of the Government must result either in the landlord sustaining a substantial loss or in the tenant having to bear a heavy burden. Let them take a second term rent of £100; deducting 10 per cent. for collection, the net income of the landlord is £90. To secure £90, if the landlord was to be paid in 3 per cent.

Stock at par, the purchase price must be fixed at £3,000. That would be thirty years purchase of the rent, and under the new scale the landlord would get no bonus. The tenant's annuity on the £3,000 at 3½ per cent. would be £105, or actually £5 a year more than he was paying in rent at present. On the other hand, if the tenant was to obtain a reduction equal to that which had been obtained by other tenants who had purchased before 1st November last, that was to say, an average of 19½ per cent. off second term rents, and which he submitted it was only right he should, the landlord would have to accept such a loss that he feared any hope of arriving at agreement would be extremely remote. A reduction of 19½ per cent. under the new scheme would mean that the total amount the landlord would receive in exchange for £100 rental would be £2,300 which, with a bonus of 4 per cent., amounted to £2,392, less costs of proving title, etc., say, 5 per cent., would leave him with a net amount of £2,272, and this paid to him in a 3 per cent. stock would yield him an income of £68 3s. per annum, or a loss of 21 per cent. on his second term net rental. Nobody imagined for a moment that bargains could be arranged on any such basis, and therefore he did not see how they could expect land purchase to continue on voluntary lines. In fact, it seemed to him that the Bill had been framed with the deliberate intention of putting a stop to voluntary purchase and of substituting for it a system of compulsion. The Chief Secretary when he introduced the Bill dealt very lightly with the compulsory provision, and left the impression that these powers were to be used solely for the purpose of relieving congestion, but really they went very much further than that. Clause 31 stated—

> "Where negotiations have been entered into, or proposals have been made, for the purchase under the Land Purchase Acts of any estate or untenanted land not situated in a congested districts county, and the parties have failed to come to an agreement the Land Commission may, if they think fit, send to the person who appears to them to be the owner a final offer in writing for the purchase of the estate or untenanted land."

If this final offer was refused the compulsory powers were put into operation, and the Estates Commissioners purchased the estate at a price to be fixed by the Judicial Commissioner and his lay assessors. The terms of Clause 31 were certainly wide enough to empower the Estates Commissioners in any case where landlords and tenants could not agree, in any part of Ireland, to force the landlords to sell. He had shown already that the new financial proposals would put a stop to voluntary agreements, and therefore, it seemed to be inevitable that in regard to all future purchase operations compulsion would take the place of inducement. Of course, he did not forget that the Chief Secretary had said the compulsory operations of the Estates Commissioners would be limited for some time to come by the fact that there would be only £1,000,000 a year to be divided between them and the Congested Districts Board; but he might point out that there was no restriction of that kind in the Bill. It was a mere Treasury regulation which might be altered at any time. So far as the Bill was concerned there was nothing to prevent that £1,000,000 being increased to £2,000,000 or £3,000,000, and the amount available for completing sales already agreed upon correspondingly reduced. He did not wish to be misunderstood in reference to this matter. He had no objection to compulsory purchase in principle, in fact he had entered that House pledged to support compulsion and he had never turned his back upon that pledge. He supported the Land Act of 1903 because it opened up a prospect of establishing a universal system of occupying ownership on voluntary lines, and he should not suppose it would be denied as a general principle that agreement in such matters was better than compulsion. As a matter of fact more than one-half the land problem as it was conceived by his right hon. friend the Member for Dover, had been solved, or was in process of being solved, by the agency of that measure. If that Act were given a fair chance, he was convinced that it would continue to work smoothly and successfully until practically the whole of the tenanted land was transferred to the occupiers. He had never disguised from himself that cases might arise where a few obstinate landlords, who refused to sell their land in spite of all the inducements offered, might have to be forced in the last resort to come into line on this question in order to round off the scheme; but that was not what the Bill contemplated, and he felt bound to protest most strongly against what he could only regard as an insidious attempt to upset the whole plan of voluntary purchase when, so far as landlords and tenants were concerned, it was working extremely well. In other words, the proposals of the Government were equivalent to pulling out the linch-pin of the coach when only half the journey was completed, and the new conditions which they put forward must inevitably delay for an indefinite period the settlement of the problem. Into that part of the Bill which dealt with the problem of congestion he did not propose to enter at any length. He saw in it many features which were highly objectionable. The proposal to constitute the new Congested Districts Board upon an elective basis if carried out would mean that the United Irish League would be placed in a position of unrestrained control over more than one-fourth of Ireland, and when they considered the well-known character of that organisation and its operations in other directions it was impossible to look forward with any confidence to a just, peaceable, and satisfactory solution of this great problem being effected by any such body as that proposed by the Government. His principal objection to the congested districts provisions was that they were in the Bill at all. They ought not to be mixed up with a scheme for expediting land purchase, but should be dealt with in a separate measure. Lord Macdonnell had placed on record in the note which he had appended to the Royal Commission Report, his opinion that the relief of congestion was the most difficult administrative problem of the time in Ireland. No one who was at all acquainted with the subject would dispute that statement, Even the Chief Secretary, who had shown such a remarkable disregard for the conclusions of his late Under-Secretary, would not underrate the difficulty of this question, and yet they found the Government putting forward proposals for dealing with this vast problem which he ventured to say would not have the support of expert opinion. The Bill had been brought in without any real intention of passing it into law this year. It was intended to be merely a revelation of what he supposed the followers of right hon. Gentlemen opposite were pleased to call the mind of the Government. If one of the objects of the Chief Secretary was to keep the cattle-drivers quiet it seemed probable that he would be disappointed. At all events, the hon. Member for North Westmeath had left the right hon. Gentleman in no doubt as to what his intentions were. In the course of a letter which had been published in the Press the hon. Member said—

> "Intelligent men of Riverstown and everywhere else know that the best provisions in Mr. Birrell's Land Bill would never have seen the light but for the hazel, and that the object of introducing that Bill now, when it cannot pass, is to keep the hazel quiet this winter. If it produces that effect, the Bill would never pass even as it is. Our power to amend it, our ability to have it passed in reasonable time next year, and its value when passed, all depend upon the number of hazels in effective condition, and the firmness and frequency with which they are wielded."

As a matter of fact the Chief Secretary, who had allowed lawlessness and disorder to run riot over a large part of Ireland, was now putting his hand to a measure which, so far from allaying agitation, was bound to stimulate and encourage discontent and unrest, and, if carried into law, would undoubtedly prove most damaging to the best interests of Ireland.

Mr. GINNELL (Westmeath, N.) said the hon. Member who had just sat down had taken some liberties with his name, and it occurred to him that his views on the Bill might possibly interest the House. Besides high finance there were other relevant matters raised by the Bill, some by inclusion in it and others by omission from it, which deserved attention, and so far had received very little and he would direct attention to a few of those points. The Bill contained some equitable restrictions in addition to those in previous Acts against improperly encumbering holdings, destroying trees, etc. Inasmuch as these restrictions imposed no burden and were for the common good, he thought they should be extended to all purchasers of every description, past and future. Whenever restrictions had to be imposed upon any individuals in the public interest they ought to be uniform and general. It was invidious to make distinctions as the Bill proposed to do by placing restrictions upon some while leaving other persons of the same class and circumstances unrestrained. Turning to another portion of the Bill, the future tenant as a class was the invention of the malign subtlety of Dublin Castle lawyers promoted to the Irish judicial bench. They found the phrase "future tenant" in the Land Act of 1881, and probably were instrumental in putting it there. At all events, it operated as an inspiration to them, and they straightway invented four distinct methods of creating future tenants and making them outlaws so far as remedial legislation was concerned. These manufactures went on and proved so fruitful of rack-rents for landlords and of destruction to tenants that the fifth method of manufacturing future tenants was invented and enacted in 1887 in what was known as the eviction made easy section of that Act. After twenty-one years operation of this engine of destruction the Chief Secretary tardily proposed, not, as might be expected, to undo the extortion and recoup the victims, and repeal the section that was the root of most of the mischief, but to leave the section still in operation, and while opening the way to justice for some of its victims, to leave all the future tenants otherwise created without any remedy. Some of the class who would be legally styled future tenants were, he was fully aware, an objectionable class known in Ireland as land grabbers. No one wanted them included, but many future tenants, made such by the other methods he had mentioned, had occupied their ancestral farms in unbroken succession to their fathers and grandfathers, constantly improving and maintaining improvement by their labour and money, and yet had been excluded from the Land Courts, and had consequently been paying higher rent than their neighbours during the last twenty-seven years, all because of a mere technicality. Since the Bill did not propose to refund, or have refunded, the whole or any part of their excessive payments, nor even to open for these victims a way to justice for the future, it could not be claimed that even if worked it would settle this particular phase of the Irish land question unless amended in such a way as to include the *bona fide* future tenants. But the main purpose of the Bill was to arrest and prevent the further mischievous and dishonest operation of the Land Act of 1903. What struck one most forcibly was the remarkable courage of Members who were responsible for the radically unsound finance and the zones of that Act in presuming to offer guidance to the House in its attempt to repair their bad and indefensible work. It was a strain upon human patience that they should open their lips at all in this debate except in humble apology for the mischief they had wrought, and the loss they had inflicted. No one responsible for the zones in that Act could ever hope to recover the confidence of the Irish people. British Members could afford to be amused or to be indifferent, because the shoe did not pinch them. Irish land purchase transactions could at the worst inflict no greater injury upon Great Britain than a slight temporary dislocation of finance. They could inflict no permanent loss upon this country. The promise given in 1903 that they would make a profit by Irish land purchase began to be realised almost immediately, for although large sums in principal and interest were already coming in and would continue to increase during the next sixty-eight and a half years, and the debt outstanding would be steadily reduced to vanishing point, they would still be receiving during all that time interest on the entire sum as if it were all still outstanding. With the Irish people the case was entirely different. The burden and the injurious effects upon their economic conditions in Ireland would be continuous and growing during all that time, hampering their energies, and frustrating their efforts to revive their industries and to rebuild their nation which had been shattered by England. The operations of the Act, so far as it had proceeded, had accelerated their decay, and constituted their gravest national danger. A great outcry was very properly raised against charging flotation losses upon Ireland, but that burden, and the injustice of it, being obvious to all, was certain to be speedily removed, as the Bill proposed to do. Taking these flotation losses off Irish shoulders and putting them on the Imperial Exchequer was very absurdly claimed as a fine example of British generosity. To perceive that justice and not generosity was in question they had only to remember that the Imperial Exchequer now received every year from Ireland between £3,000,000 and £4,000,000 in excess of fair taxation. But great as the flotation losses were they were less dangerous to Ireland than the losses from default in payment of annuities, because these, not appearing in any accounts and screened in various ways, were liable to be overlooked. There was a tendency, in some cases he feared a dishonest tendency, to ignore and minimise this danger and brush it away with the misleading boast that Irish purchasers under the previous Purchase Acts had shown exemplary honesty and punctuality. It was unsound logic to expect that because one man whom they had protected in making a bargain was honest and punctual, his neighbour, whom they had by statute deprived of protection and exposed to sharp practice, was under an equal obligation to be, or in fact could be, punctual. The inflation of prices by the Act of 1903 destroyed all analogy between those who bought under that Act and those who bought under previous Purchase Acts. It had been acknowledged by the present Chief Secretary and by his predecessor that the inflation of prices caused by the zones sometimes amounted to eight years purchase in excess of the prices under previous Purchase Acts. To ignore on any ground a difference so substantial and a load so onerous and leave it untouched, as the Bill did, was reprehensible folly and dangerous to individual and country. The zone system of paying for land without ascertaining its value, which had caused this enormous inflation, was unprecedented and absolutely indefensible, and should in the interests of State and of individual be frankly abolished at the earliest possible moment, and inspection restored in every case. He should like to ask whether the tenderness with which the zones were preserved by the Bill was a return for the tenderness with which the landlords in another place treated Liberal measures. Was it a touching example, at the expense of Ireland, of turning the other cheek to the smiter? In the year 1903 the right hon. Gentleman the Member for Dover got Parliament to give his friends the landlords an elaborate machine for extracting prices regardless of value, and a bonus of 12 per cent. was added to those prices. The right hon. Gentleman called the bonus a bridge, and declared it to be for the joint and equal use of landlord and tenants; but he took good care to give the ownership of the bridge to the landlords. He also got Parliament to present to his friends a legislative device which would have done credit to a juggler, whereby they went through a mock sale of a demesne and mansion, received public money for that property, and remained in undisturbed possession of the demesne and mansion, and the price. It sounded like a Gilbert and Sullivan opera, but they had to pay for it. The right hon. Gentleman got Parliament to go further and place in the hands of the landlords and of any tenants whom they could induce to become their accomplices, an elaborate scheme for extracting public money without adequate value, while leaving unpaid the shopkeepers who had sold them food and clothing on credit. There was not on the whole Statute-book, nor on any other Statute-book, any Act which played so many tricks at the expense of common honesty. The Bill did not touch a single one of the provisions whereby that Act in its working accomplished this and many other feats of the same shady character. Irish tenants had been with good reason so eager to get rid of landlordism at almost any cost that they had been always willing to sign agreements to purchase at more than their holdings were worth. There was no doubt or mystery about this. Under the Purchase Acts prior to that of 1903, it was the constant function of the Land Commission to check this propensity by inspection, and by refusing to advance any more money for any holding than it was found, on inspection, to be worth; and in a large percentage of cases the prices at which the tenants had agreed to purchase had to be cut down to that limit. The inspectors should differentiate between the respective properties of landlord and tenant in each holding, and the Land Commission should pay to their landlord the value of his share of the property and no more. The statute law, as well as the moral law, required this. But the landlords' partisans called the Land Commission and their inspectors, disregarded both laws, ignored the distinction those laws required, and advanced to the selling landlord and made the tenant to repay the entire value of the holding, regardless of the fact within their knowledge that portion of the value belonged to the tenant, was his own creation, and was confirmed to him by statute. But the Commission made the gross value the limit of their injustice. They advanced to the selling landlord the gross value of the holding, but no more. The Act of 1903, by dispensing with inspection in the majority of cases, removed this limit, gave a landlord a fresh incentive to cupidity, and empowered and compelled the Commissioners to advance in those cases any price the landlords were able to cajole the tenants into signing for. From force of analogy and official bias, the Estates Commissioners had themselves sanctioned prices inflated almost as much in non-zone cases, which were within their power, as in zone cases where inspection was precluded. No person of experience could pretend to expect, nobody did expect, that an official system so strong, confirmed by five years operation, would now be reversed or modified or even substantially altered in obedience to the pious profession of faith in the Commissioners' equity, which was all the Bill contained on the subject. No one expected that prices would, as a result of the Bill, come down six years purchase as they would have to do in order to approach equity. The belated profession of faith in an equity which did not exist was mere dust thrown in the people's eyes in the hope of keeping them quiet this winter. No one any longer believed in the equity of the Commissioners, except landlords, grabbers, ranchers, and those who preferred cattle to people. It was a pity that a Minister who boasted of a contrary preference had not embodied in his Bill some provision to give effect to it. Whatever sense of equity the Commissioners displayed during the first years of their work, while their tenure of office was temporary, had disappeared since Parliament gave them permanency of tenure. The Evicted Tenants Act gave the Commissioners ample power to reinstate compulsorily every evicted tenant whose claim was good and whose farm was vacant; and that was a duty so urgent that not a day should have been lost in discharging it. But because the Commissioners were empowered to act if they thought fit instead of being directed to act at once when the facts warranted action, numbers of evicted tenants whose claims the Commissioners acknowledged to be valid were still rotting by the road side, though their farms were vacant, and there was nothing to prevent their reinstatement but the Commissioners, refusal to think fit. This Bill from beginning to end asked Parliament to shirk its duty of deciding and ordering positively what should be done, and conferred upon the Commissioners far too much undirected authority and too vague a discretion. After they had forfeited confidence by allowing inflation of prices in cases within their power and by leaving the evicted tenants unrelieved, they were asked to enact a confidence in them which they did not entertain. A provision of compulsion, contingent upon the Commissioners' good humour, might be good as a joke, but as legislation it was a mockery, because it would not work. In this Bill they acknowledged that compulsion was necessary, and being necessary, its exercise should depend upon the facts of each case and the will of the purchasers who were most concerned, who were undertaking the burden, and to whom the State must look for recovery of the money advanced. If they left the exercise of that power to depend upon the caprice of the Commissioners the solution of the problem would rest with the people themselves after this Bill had become law as well as before. To give the Commissioners discretion to do a thing was to give them power to refuse. If they refused compulsion in a number of cases in which it would be justifiable, the only remedy—as was certain to happen if left to their discretion—the Chief Secretary's successor would be coming to the House next year for hasty, and perhaps late Amendments, and hon. Members would ask with reason why was the right thing not done in the first instance. If they wanted to make this Bill work and accomplish what they professed to desire, they must put their meaning into it, and enact that the Commissioners should do so-and-so, instead of leaving them free to think fit or unfit. The position of rack-rented tenants who got no chance of buying their holdings at the value after their neighbours round about them had bought, was daily becoming more and more intolerable. What they wanted was real compulsory sale to them at the true value to be ascertained by official inspection, not dependent upon the humour of any official. There was nothing unjust or revolutionary in that demand, nor any reason for empowering any official to raise the question of fitness. The Government, while recognising the demand to be just, did not provide in the Bill for carrying it into effect. This Parliament had a free and absolute choice in the matter. It could enact a law to carry out what it had admitted to be just and professed to desire, or it could neglect the people and leave them to their own resources. The neglected people owed a duty to themselves and their families, and none whatever to the Parliament that had neglected them. To obtain what they admitted to be just tenants had only two methods. One was to ask Parliament, as they now did, through the lips of their representatives, to enact such a measure as would carry out their professed purpose. The effect of disregarding their request thus constitutionally made would be to throw them back upon their only remaining method, which was to pay no more rents, but lodge in the hands of private trustees their rents less the reduction which purchase at a fair price would give them. If the landlords sold at that price, conflict was avoided and there would be no injustice done to anyone, for they could then get all the money on giving clear receipts. If on the contrary they chose to fight, the tenants could draw upon the lodged money for fighting purposes, confident of accomplishing by their joint local action what Parliament admitted to be substantially just, and should have done for them but did not. Their position being intolerable any excuse based on limitations of time and circumstances was irrelevant and no concern of theirs. As regarded untenanted land the position was still more simple. That land was all evicted land, and the same Imperial Parliament which allowed the people to be cleared off it was now largely of opinion that this land should be broken up again and re-peopled. Parliament had power to give effect to that pious opinion, but the Bill as drafted would not do it. Such pretence as was made in it was a result of the hazel policy practised in some parts of Ireland during the last two years. The three Gentlemen whose names were on the back of the Bill knew that the object of this attempt to deal with the ranches was only to keep the hazel quiet until more of the people had emigrated, and that if the Bill passed as it stood it would not operate except in the West of Ireland. Many things were illegal under the common law as being contrary to public policy, such as restrictions on marriage, restrictions on trade and things of that sort, though no statute made them so. In his opinion, nothing could be more contrary to public policy and more illegal if the Judges were impartial than the destruction of a peaceable rural population and the maintenance of the ranching system which was silently continuing that destruction. In the absence of impartial Judges and of a Parliament to protect the people, the duty devolved upon them to protect themselves. Thrown upon their own resources they had discovered a method of regaining their lost ground in a very substantial sense, and when by that method they had made the ranches derelict and useless the legal owners would have small choice left to them but to sell the land at a fair value. This British Parliament had been long enough tinkering with Irish legislation and had a dark record in that connection. All the evils of the Irish land system and all the difficulties of the land problem were of their own sowing. Personally he should prefer not asking or allowing the House to meddle further with the land question or with any other Irish question. This Bill was their Bill, not that of the Irish Members. The latter had no power to amend the Bill in a sense which they knew to be necessary and to pass it into law. The House was in the happy position of being able to enact or reject the Amendments which the Irish Party believed to be necessary. All that party could do was in good faith to ask the House to amend the Bill. Beyond that, they were not very much concerned, retaining in their own hands as they did the power which had forced the Government to propose the best provisions in the Bill, the power to stop peremptorily the deadly land system which the Government professed to condemn, but in practice maintained. It ought to be worth the while of the Government, as well as of the Irish Members, to consider whether legislation that created a situation like that was wise or unwise. Speaking for those who were interested in the subject with which this Bill was supposed to deal and to whose action its best provisions were owing, he said that they would not be broken-hearted or shed a single tear at the worst fate that could befall the Bill. It was the duty of the Government to know the necessities of the people they undertook to govern. If they amended the Bill in such a way as to satisfy these necessities, well and good. If they failed in their duty to do that, then the responsibility rested with them and not with the Irish people, who had been taught too well that this question could not be settled here, but could only be settled in Ireland. They had made up their minds to settle it there by altering the facts, leaving Parliament to adjust the law at its leisure.

Mr. CHARLES CRAIG (Antrim, S.) said that nobody could be more thorough than the hon. Member who had just sat down. The hon. Member thought that the whole land question had been a stumbling block for the last thirty years in the British Parliament, but that it could be and should be settled by one stroke of the pen in Ireland. That was an impractical ideal, and therefore a great deal of that to which the House had listened might have been spared them. The hon. Member for Westmeath was apparently one of those Members who, in the words of the hon. Member for Cork speaking at a meeting of the Irish Nationalist Party in Dublin in April, 1908, said—

> "There are certain honourable and high-minded Irishmen who hold the view that land purchase is a curse and a misfortune to the National cause—that a condition of agrarian disturbance is our best leverage for winning Home Rule."

Except under a theory of that sort he could not for a moment hope that any person who had the welfare of Ireland and of the Irish tenants at heart could appreciate the speech of the hon. Member for Westmeath. But an example was set to the hon. Member for Cork by the hon. Member for East Mayo, when in a speech at Swinford Workhouse on 10th September, 1906, that hon. Gentleman said—

> "I wish to Heaven we had the power to obstruct the working of the Act more than we did. It has worked too smoothly, to my mind."

That remark, he presumed, was the frame of mind of the hon. Member for Westmeath. Hon. Members who listened to the speech of the hon. Member as to the effect of the Act of 1903, would be inclined to think that a very considerable section of the Irish tenants would agree with his sentiments. But already, under the provisions of that Act, there had passed from the landlords to the tenants £20,000,000 worth of property in land, and £52,000,000 worth of property in land to be sold by the landlords to the tenants had been agreed upon, and they were only waitnig for the money from the Treasury to complete the sale and purchase. He thought that that was an answer to the argument of the hon. Gentleman which the latter could not get over. To say that the tenants had been forced into those agreements was perfect nonsense. The agreements entered into between landlord and tenant under the Act of 1903 had been, to his knowledge, in the vast majority of cases absolutely free.

Mr. FLAVIN (Kerry, N.) said he knew hundreds of cases in his own constituency where they had not been free.

Mr. CHARLES CRAIG said he should like to hear the details before he agreed with the hon. Member. He admitted, however, that the hon. Member might think that they were not free. Then the hon. Member for Westmeath had tried to make out that the tenants in these agreements under the Act of 1903, instead of being gainers, had been losers. But so far from that being the case, the tenants had, under the Act of 1903, obtained on the average a reduction of 20 per cent. on second term rents. The right hon. Member for South Tyrone, who could not be accused of being favourable to the landlords, had himself admitted, in a speech a year ago at a meeting in Belfast, when somebody was finding fault with the Act of 1903, that he did not think the Irish tenants had made a bad bargain under that Act. The right hon. Gentleman said that the landlords had got too much, but that so far as the tenants were concerned, they had not much to complain of, for they had got a reduction of 20 per cent. on their second term rents, whereas, but for the passing of the Act of 1903, it was impossible to say what would have happened under the old system, when the third revision of rents would have been made; that nobody could say whether the rents would have been raised or lowered. That being the case, he did not see how anyone could deny that an immediate reduction of 20 per cent. on their second term rents, as many of the tenants had received, was not an immediate and very useful effect of the Act of 1903. The hon. and learned Member for Waterford at the beginning of his speech asked the House whether they were going to take the view of the case as represented by him, as representing the Irish tenants, or the presentation of the case as made by the right hon. Member for Dover. Very shortly after that, the hon. Member for Cork made a very valuable contribution to the debate and asked hon. Members in all parts of the House not to take either the view of the right hon. Member for Dover, or the view of the hon. and learned Member for Waterford, but to listen to all the speeches and to read the Act of 1903, comparing the latter with what was proposed to be done under this Bill, and then to say whether what was now proposed to be done was, in fact, what the Government said was their intention, viz., to hasten the progress of the Act of 1903. If hon. Gentlemen did that he agreed that they would come to the same conclusion as they on that side of the House had come to, that in no single thing would this Bill help the progress of the Act of 1903 in any way. Reference had been made on many occasions to the bonus which had been received by the Duke of Leinster; but those hon. Members seemed to forget that the object of the Act of 1903 was to get as many tenants as possible made owners of their holdings, and the explanation of the £80,000 which had been paid as bonus to the Duke of Leinster, was that His Grace was the owner of a particularly large estate, and he believed that all the tenants were perfectly satisfied with their bargain. He only wished to point out that the bigger the transaction the more tenants were converted into owners, which was the very object of everybody in passing the Act of 1903. He wanted to refer to several remarks of the hon. Member for Preston, who, first of all, went into the whole question of the policy of the Act of 1903, although it was true he said at the end that it was impossible now to go back on it. But he said that a bargain was a bargain, and that, so long as it was possible for the Treasury to provide the money without serious loss to the Exchequer, it arranged that it would pay, but as it became unable to provide the money without loss it would cease to do so until such time as the market changed. That, however, was not an exact description of the position of affairs which existed then and existed now. He agreed with him that it would probably have been a far better thing for Ireland if the Act of 1881 had not been passed. He was inclined to think that if that Act had never been passed the wrongs, if there were such things, of tenants and landlords would have settled themselves purely by economic causes and effects. But once that Act was passed it followed, as night followed day, that all these subsequent Acts must follow, and, that being so, it was the duty of Irish Members, and of the House, to see the matter of land purchase through. A bargain was undoubtedly struck in 1903 that the landlords were to get the net second term rents as the basis of purchase, while the tenants were to get a substantial reduction of those rents. If that was carried out nobody could complain, and that he maintained ought to be the object of the present Government, as it was the object of the Administration of 1903. For a long time past in Ireland, since this block in carrying out the Act arose, the tenants and landlords had been looking forward with eagerness and anxiety, not to say impatience, for this Bill to be introduced. They had all of them been led to believe that the Chief Secretary, when he had matured his plans, would introduce a short Bill dealing with the question of finding money for the prosecution of the Act of 1903. When he said a short Bill he did not mean that it would be one which was easy to draft or that its provisions were easy to arrive at. Everyone in Ireland realised that it was a very difficult matter, and one of considerable complexity for the market, in he condition in which it was now, to find the money to carry out the Act at the rate they would like to see it carried out. In his introduction of the Bill the Chief Secretary said that anything to arrest the progress of land purchase would be an economic and political blunder of the greatest magnitude, and the object of the Government was to hasten land purchase and make it work fairly all round. But how were those grave words carried out when they came to the expression of the will of the right hon. Gentleman in the Bill? The right hon. Gentleman had insisted upon tacking on to the question of finance the infinitely more complex and difficult question of congestion. That was their first grievance against the right hon. Gentleman. They complained of that, because whatever were the demerits of the Bill as far as its finance was concerned, they contended that the introduction into it of the questions with regard to congestion and dividing up grass farms had rendered it absolutely impossible for the right hon. Gentleman to get any support from those benches. They thought that the right hon. Gentleman would present the House with a Bill, the financial proposals of which would be such as they could accept, and that it would tend to carry out the working of the Act of 1903. If that had been the case they should have had probably very considerable pressure put upon landlords and tenants in Ireland to swallow the confiscatory clauses contained in the other part of the Bill. But now there was no such question as that, because, not only were the provisions dealing with congestion of a confiscatory, retrograde, and ridiculous character, but the financial part of the Bill at its very highest would not do anything to hasten land purchase in Ireland. The best that could be said for the proposals was that they would not retard it. As far as the financial provisions of the Bill were concerned, he would far rather that the questions should not have been touched than that they should try to work the Act of 1903 under the proposals contained in the first part of the Bill. The right hon. Gentleman had not confined himself, as he ought to have done, to solving the great financial question which was standing in the way of land purchase in Ireland, but he had tacked on to this Bill the tremendous question of dividing the West of Ireland, while the provisions of the measure entirely upset the arrangement which was arrived at between the landlords and tenants and the House of Commons in 1903. In the first instance, the right hon. Gentleman had got the principle of compulsion all round. Hon. Members were, he knew, in favour of that, although there was a distinct agreement in 1903 that the question of compulsion was out of the way, and the procedure of the Act was to take its place. [MINISTERIAL cries of "No."] That, he repeated, was the arrangement. Hon. Members voted for the Bill and accepted it as a settlement of the land question, and had money been forthcoming he had no doubt it would have been a settlement of the question. Had the market in Consols remained as it was in 1903 there would have been only the sweepings of the Irish land question left to deal with. They had reason to complain of the way in which the system of compulsion had been introduced into the Bill, as from the right hon. Gentleman's speech they thought it was of a limited character and had reference in the main to the congested districts.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said that the hon. Member for North Armagh asked him a Question on the subject, and he explained to what the compulsion referred.

Mr. CHARLES CRAIG said that when the Chief Secretary had finished his speech, he and a great number of hon. Members went away with the idea that compulsory powers were restricted, whereas they had in the Bill the most extensive powers for the compulsory acquisition of land. Was any Member from Ireland or elsewhere so hot-headed, however, as to talk about compulsory purchase when they could not pay for one-third of the land which had been purchased voluntarily? He was prepared to give compulsory purchase when the voluntary system failed, but it was not necessary in a large part of the country. What the right hon. Gentleman ought to have done was to bring forward the financial part; there was a great obstacle to hon. Members on that side of this House agreeing to a direct contravention of the agreement arrived at in 1903. Although the right hon. Gentleman was not a Member of the House in 1903 he was still bound as a Minister of the Liberal Party by the decision which was come to then unless there was grave reason for altering it. He submitted that there was no such grave reason, and he challenged anybody to show there was. That was one point on which the right hon. Gentleman had upset the agreement, and another was the alteration of the zone system. There might have been cases where the Land Commission had had to advance money on an indifferent security owing to the zone system, but there were not more than one in a hundred; there had been no failure to speak of in the payment of the instalments, and the Estates Commissioners themselves did not anticipate from the fact of the zone system that there was going to be any appreciable loss to the Exchequer. It was a perfectly well-known fact in Ireland that one of the chief agents which had been responsible for the quick working of the Act, so far as getting agreements through and the making of arrangements with tenants was concerned, had been the system of zones. Next to the bonus there was nothing in the Act of 1903 which had done so much to hasten and cheapen, and to remove difficulties from, the whole subject of land purchase. But in the Bill the Chief Secretary proposed practically to sweep away the zone system by enabling the Estates Commissioners, when they saw fit, to decline to be bound by the zones, and to institute such inspections as they liked. As regards the bonus that was provided for the purpose of helping on sales, he did not agree that the landlord got the entire benefit, for by reason of reduction in second term rents the bonus was bound to help the tenant to as great an extent as the landlord. Seeing that the success of the Act of 1903 had been due to voluntary action, to zones, and to bonus, it was hard for any person with ordinary sense to see how land purchase in Ireland was going to be hastened by sweeping away all those things which were included in the Act of 1903 for the express purpose of promoting land purchase. It was absolutely impossible for Unionist Members to support the Government, seeing that the Bill practically tore up the chief provisions of the Act of 1903. It was a grave blunder for the Chief Secretary to have combined the two questions of finance and congestion in one Bill. The agitation for the division of grazing land as distinct from congestion was practically non-existent in 1903. It was since then that agitating, resulting in cattle-driving boycotting, and outrages, had sprung up in many counties in Ireland. The really congested individuals whom Parliament ought to be asked to consider were the men in Donegal and Connemara and such places; but those men had not taken part in cattle-drives at all, but had been to a great extent quiet and peaceful. The men it was now sought to bring into the Bill were actuated by a desire, not over new or peculiar to themselves, namely, to have more than they already possessed. Those men had cast greedy eyes on the land of their neighbours and had laid illegal hands upon it, and had gone in for cattle-drives and intimidation. Cattle-drives were practically non-existent when the Government came into office, but at present they were daily occurrences. Cattle-drives were now carried on in daylight accompanied by bands and advertised in the local papers; the Chief Secretary and the Attorney-Genera admitted these things and described them as reprehensible, and yet permitted them to go on. The Chief Secretary made a speech a year ago which was understood as a warning to persons in Ireland who boycotted and intimidated people, that if those things did not cease he would not bring in a Land Bill. But here was the Chief Secretary advocating a far-reaching measure at a time when boycotting and cattle-driving were much more serious than at the time at which he gave that warning. He would ask any English member whether the action of the Chief Secretary in this matter was that of a strong man, or whether it was action which was likely to bring about peace in Ireland. If the right hon. Gentleman thought so, he was afraid that he was very much mistaken. With regard to dividing up the grass farms, it was a tremendous proposal to be made by the right hon. Gentleman, and one which, he felt sure, quite apart from the moral aspect of the question, would prove a failure. The right hon. Gentleman had been forced into it by terrorism, and he believed that the proposal to bring families from one part of the country to another, forcibly practically speaking, and put them into a different class of agriculture from that to which they had been accustomed for years past, was a proposal absolutely doomed to failure from the very start. He knew it was what was recommended in the Report of the Royal Commission on Congestion in Ireland, but that did not make it any the more likely to succeed. So far as that part of the Bill was concerned it was founded on the Report of that Commission. He did not say that there was anything wrong or objectionable in any member of that Royal Commission, but from the first they could see that the inquiry was useless, because it was perfectly well known beforehand what the ideas of the various members of that Commission with reference to this question of congestion in the West of Ireland would be. Lord Dudley——[NATIONALIST cheers.] Hon. Members cheered the name of Lord Dudley because he had thrown himself bodily into their camp, so to speak, and had left the Unionist Party. That being so, it was not very probable that Lord Dudley was a wholly impartial chairman. Certainly, a chairman should be a person who could not be accused of leaning one way or the other. They had also as a member Lord MacDonnell, whose views were very well known: he disapproved of a good many of the recommendations of the Commission, but, practically speaking, he was in favour of taking a large portion of the West of Ireland and handing it to the Estates Commissioners. The next member was Sir John Colomb, the only member of that Commission who could be said to represent the Conservative party or the landlord party in Ireland. Then there were Sir Francis Mowatt and Mr. Angus Sullivan, two officials on the Commission, who, whatever their political views, took care to keep them in the background.

MR. GWYNN (Galway): The hon. Member says the opinions of these Gentlemen had been foreseen. Does he say that the opinion of Sir Francis Mowatt could have been foreseen?

MR. CHARLES CRAIG meant to say that the opinion of the Commission, as a whole, could have been well foreseen, because there were upon it a preponderating number of persons who were of a distinctly national or kindred party. There were two Nationalist members, one Liberal member, the brother of the late Chief Secretary, who had advanced ideas on the subject, and two other persons of strong Nationalist leanings. The Commission, therefore, was not very likely to hold strong views on the Conservative or landlord side, and it was comparatively easy to foresee what decision they would come to. Consequently they could not be expected to place any great importance on the findings of the Commission. If, however, the scheme which they recommended had been carried out, it would have been a gigantic failure; and, even if it had been a success, it would have cost infinitely more money than could ever be provided by Parliament for the purpose. They had to look at what had already been done by either the Congested Districts Board or the Estate Commissioners in the West of Ireland to get an idea as to whether the turning of the whole of the West of Ireland into a large compound of small holdings would be successful or not. He believed the evidence given before the Commission went to show that the experiments which the Congested Districts Board had made in migration had, on the whole, been a failure. That was certainly his reading of the evidence, and he thought at least one of the Commissioners had stated so himself in a note appended to the Report. He knew of a case in the West of Ireland where the Congested Districts Board had bought an estate and could not get it let for the simple reason that the people surrounding would not allow the admission of strangers. Everybody knew that was going to be the whole difficulty. If they took a piece of land in the county of Roscommon and attempted to migrate on to it tenants from Connemara, the people in Roscommon would not tolerate the introduction of those outsiders for one moment, for they would think they ought to have the land divided amongst themselves. That was the root of the question. It had been the difficulty in the cases tried already, and had made it absolutely impossible to carry out some cases. He knew plenty of cases in the West of Ireland where, after legal and illegal proceedings—illegal proceedings, cattle-driving, boycotting, and so on generally came first—they had got rid of the tenant. In many cases, after the land had been given into the hands of the new tenants to be used as the Estate Commissioners imagined for tillage or mixed farming, the first thing those new tenants did was to re-let it, probably to the same man as before it was divided up, as a huge grazing farm. The other day he saw an advertisement of all the tenants of one of these redistributed estates putting up their holdings to the highest bidder. They had 17s. or £1 per acre as an annuity to the Government and got two, three, and four times that amount for letting them out to grazing. The House would thus see that the immense amount of money which was being spent in the West of Ireland was being thrown away. It was going into the hands of persons who did not deserve it. He asked the Chief Secretary the other day if he would instruct the police to make inquiries on the subject in one or two counties in the West of Ireland; but he judiciously refused, saying it was not part of his duty to do so. The police in the past had been used for precisely that duty in reference to earlier Purchase Acts; and they would have been able to give some interesting information. He wished to draw attention to the way in which the Estates Commissioners arranged these matters in the West of Ireland and to the sort of thing that was likely to happen if this Bill became law. In Ballinasloe there was a prosperous butcher named John Byrne, who was in possession of a holding which he had purchased under one of the earlier Acts. The people came to the conclusion that Byrne ought to clear out and that his holding ought to be cut up for the benefit of those round about. They proceeded to apply the usual methods. On 16th November, 1906, they drove his cattle, other things followed, and finally poor Mr. Byrne, like many another man, for want of support from the Government, had to give in to the demands of the people round about and he agreed to give up his farm. If he had not done so, he would have lost all his contracts, have been boycotted, and his life made intolerable. Negotiations ensued for about a year, and on 15th November, 1907, the Estate Commissioners wrote to Mr. Byrne as follows—

> "I am directed by the Estates Commissioners to inform you that they have had the land set out in the accompanying schedule inspected, and that they estimate the price of same at £3,090, which is exclusive of such bonus as may be payable according to law."

Mr. Byrne practically agreed to accept that, but six months later, he received this letter—

> "With reference to the Commissioners' letter of 15th November, I am directed to inform you that the first paragraph should be read as follows: 'I am directed by the Estates Commissioners to inform . . . that they estimate the price of same at £3,090, which is inclusive of such bonus . . .'"

They claimed that that was a slip of the pen, but it made a difference of some £360 for Mr. Byrne. On 24th October, he got this further communication—

> "Estate of John Byrne, vendor. The Land Commissioners, after due inquiry, hereby propose, subject to the clauses and conditions hereinafter mentioned, to purchase the land stated for the sum of £2,759."

So that after two years, he having been forcibly made to give up his farm, he was offered first of all £3,090 with the bonus, then told it was without the bonus, and then more than a year after the first estimate he was informed that he was to take £2,759, nearly £700 less than the poor man at first thought he was entitled to. He was offered a price that he could not accept, and he had practically given up his land, and the usual results would follow. He would probably lose all his contracts for beef. If that was the way the Estates Commissioners carried on their work, he did not think they could very well complain of criticism. Furthermore, that was likely, he should say, under the proposed constitution of the Congested Districts Board, to be the way in which that Board would carry on its work if it ever was constituted. The proposed constitution of the Congested Districts Board was one of the most outrageous suggestions that had ever been made in the House. It was proposed to appoint a certain number of officials, no less than nine appointed by the nine districts proposed to be included in the Board, all of whom were practically speaking in unison with and very often acting with the bands of cattle-drivers who had been driving cattle off the estates in the west. Under these new proceedings the Board, of which the elected members would form a majority, would have absolute control over all the policy of the Board. It was true the Bill proposed to keep out of their hands the actual spending of the money, but the majority of the Board would have enough influence over the rest to be able to obtain the spending of the money in any way they liked. There were many things which rendered the Bill unacceptable to Members on that side, but there was nothing which showed so plainly that the Chief Secretary had been forced by frequent applications of Nationalist Members to introduce this Bill, and he thought the simplest way would be to incorporate wholesale the recommendations of the Congested Districts Commission. If the right hon. Gentleman had confined himself to questions of finance he would have got a large measure of support from Members on that side of the House, but by the action he had taken in putting all these other things in he had alienated their support. Many things were utterly opposed to the principle which guided the House in passing the Act of 1903, and that at the very outset deprived the right hon. Gentleman of the slightest sympathy of Members on that side. He had no difficulty in opposing the whole Bill, because the financial proposals so far from helping forward land purchase would retard it.

MR. CHERRY said that he proposed to deal only with what he might call the legal clauses of the Bill and not to discuss in any way the question of finance. On the question of the general clauses there was, he thought, in the minds of a great many hon. Members who had spoken, rather a misapprehension as to what the policy of Land Purchase Acts generally was, and how far it had been carried out by the Act of 1903, and how far it would be affected by the present Bill. It was more noticeable in the speech of the right hon. Gentleman who opened the debate than in almost any of the others. He said he was opposed to the Bill, and the general ground that he gave was that he held it would not expedite the progress of land purchase. He had proceeded to work out that proposition by going through the various provisions and clauses of the Bill, but all through what he meant by land purchase was the direct sale by landlords to tenants of their holdings. There was no doubt the original policy of the Land Purchase Act was that, and that only. It began in the first Act of 1870 and went through the Acts of 1881, 1885, and 1887. It was adopted again and again by the House under Governments of different complexion. But in 1891 a quite different policy appeared for the first time, and the Congested Districts Board was established, the main function of which was not to sell to occupiers land already in their occupation but to increase the size of the holdings which they occupied, and for that purpose it was necessary of course to amalgamate holdings and to provide for a certain portion of the population which was already fixed upon these small holdings, and the methods which were suggested by that Act were the development of other industries and the purchase of untenanted land if it could be made available for the purpose of increasing the size of the holdings. That was an entirely separate and independent policy from that of the sale by landlord to tenant of the holding which he occupies, and it commenced in a Conservative Parliament and in a Conservative Bill. The Act of 1891 was carried through the House by the Leader of the Opposition; the project was in a great measure due to him and he deserved great credit for it; everybody in Ireland, whatever his politics, would say that that Board had been a public benefit, and the policy it had carried out had been undoubtedly beneficial to the country. Not only the Act of 1891, but from that Act down they had a whole series of Acts, the tendency of every one of which was to increase the powers of the Congested Districts Board, to enlarge the sphere of their operations, and to give them increased facilities for dealing with the problem. But the more they approached the problem the larger it seemed to get. Instead of being solved by what was done they seemed to see that there was a great deal more to be done, and year after year small Acts were passed without opposition for the purpose of increasing the powers and facilitating the working of the Board. Coming down to the Act of 1903 and the policy to which the Government were said to be in opposition, that Act made a greater step forward in the direction of carrying out that policy than any of the Acts to which he had referred. In addition to dealing with congestion in a very drastic manner, it introduced an entirely separate and independent policy as regards the case of evicted tenants. It was the first general Land Purchase Act which enabled land to be sold under the Land Purchase Acts to persons who were not tenants of the holdings. Under the previous Acts the Congested Districts Board bought the land through trustees who could sell under the Land Purchase Acts for a lump sum which was advanced by the State, to be repaid by annuity. That was first applied in the case of untenanted land by the Act of 1903, and it was applied for three objects, first, to restore evicted tenants; secondly, for the relief of congestion; and, thirdly, to provide sons of tenants and persons skilled in agriculture, but who had not land in their possession, in certain cases with holdings which they could cultivate and so stop the emigration of the life-blood of the Irish people. The powers of the Congested Districts Board were limited to the congested districts, and they were a very limited portion of the West of Ireland, but the Act of 1903 extended their powers to the Estates Commissioners, who had jurisdiction over the whole of Ireland, and they were given power to purchase untenanted land for the purpose of relieving congestion. How had these provisions of the Act worked? The House had heard from the right hon. Gentleman the Member for Dover a great glorification of the way in which the Act has worked during the last five years, but he had confined his remarks altogether to the case of direct sales, and so far as he (Mr. Cherry) could judge he was rather hostile to this sale of untenanted land to persons who were not tenants. The Act of 1903 had worked very well in some respects, but it had worked unsatisfactorily as regards the relief of congestion. As a matter of fact he had been informed that evening, by one of the Estates Commissioners, that in the five years which had elapsed since the passing of that Act, not one single congested estate had been sold to them, or by them. The clause relating to the congested districts in the Act of 1903 had been a dead letter, and had not operated for the reason that under the Act the consent of the owner was necessary and the operation of the zone section was prevented, and no one would consent to his estate being considered congested. It was quite true that in some respects the Act of 1903 worked very satisfactorily, but those in favour of the land purchase policy, who were anxious to see a system of peasant proprietors established in Ireland, became alarmed at the number of large holdings which were sold. A very large portion of the purchase money advanced under the Act of 1903 was advanced to tenants on large holdings, who should not have come under land purchase at all. Just to give the House an illustration as to how the system worked, he would mention one of the first estates sold under the Act. He would give some official figures he had received that evening. On the Carton estate, a very large estate in Kildare owned by the Duke of Leinster, the number of purchasers was only 506, and the total amount of purchase money advanced was £687,417. [Cries of "Oh, oh!"] That was an enormous sum for a small number of men, more especially in view of the fact that there were thousands of people with only one or two acres on small uneconomic holdings. In those transactions the Duke of Leinster put into his pocket £80,000. The House would recollect that in the Act power was given to make advances up to £7,000 to a single purchaser, and soon after the Act came into operation this provision was largely taken advantage of by the rich and well-to-do, and really the poor people were shut out. He was speaking of the tenants, and those large tenants of the Duke of Leinster's estate were certainly not the class of people intended to be benefited by the Land Purchase Acts. Therefore, they had to endeavour to give a preference to the smaller tenants in the poorer parts of Ireland. On that estate there were a number of holdings, the price of which was over £3,000, and the amount of advances over £3,000 numbered 77, out of a total of 508. The sum total paid for the purchase of those 77 holdings amounted to no less than £381,825, which was more than half the total purchase money paid for the Duke of Leinster's estate. The Duke of Leinster's estate was not an exceptional case, because there were many others of a similar kind where large holdings had been bought. The purchase of these large holdings had exhausted the money available, and had left the poor and distressed portions of the country in the West, and South, in North Connaught, Clare, Kerry, and Donegal, in the background. Those poor tenants had not the same energy, and assistance, and enterprise as the larger tenants, and consequently they could not take advantage of the Act to the same extent. What they were seeking to do by this Bill was not to check the progress of land purchase, as the right hon. Gentleman the Member for Dover had said, but to divert it, and turn it more in the direction of the policy announced when the Act of 1903 was introduced, by diverting the sale of untenanted land from large to small holders in order to relieve congestion. One clause in their Bill of great advantage would restrict the amount of the advance in any individual case to £3,000 except in the exceptional case where the tenant resided upon the holding, when the Land Commissioners might make an advance of £5,000, but beyond that they could not under any circumstances go. Those who had large holdings might either hold them, or surrender them to their landlords, and then they would be dealt with as unoccupied land. One of the clauses which was criticised most unfavourably by the right hon. Gentleman the Member for Dover, was that which dealt with the zones. He thought the right hon. Gentleman was under an entire misapprehension as to the effect of that clause, for he spoke of it as if it would entirely abolish the zone. It was not the intention of the Government to abolish zones, and he did not think that would be the effect of the operation of the clause, which was intended to be operative only in exceptional cases. As a general rule the zones would still operate, but in circumstances of a suspicious character, where it was suggested to the Estates Commissioners that a larger sum had been given for the holding than it was worth, or the security was insufficient, they would be enabled under this clause to make an order which would exclude the zones and to investigate the security by inspecting the land and valuing it. Let them suppose that in the case of an estate brought to the notice of the Estates Commissioners for sale, which was really a congested estate and ought to have been so declared before it was sold direct to the tenant, the sale took place within the zone, and it was ascertained that a very large amount of arrears of rent were due, and that those arrears had been added to the purchase money: that fact was in itself an indication that the rent was excessive. He was aware that it might be due to other causes, such as the tenant being improvident, but when they had the arrears spread over the whole estate that could not be the cause, and it was an indication that the rent was high. When they had a certain number of years purchase it might be advanced within the zone, and they had to add to that the arrears due, and in that way they would get a price very probably excessive. This Bill would enable the Estates Commissioners to investigate such cases as that. At the present time it was not competent for the Estates Commissioners even to make enquiries as regarded the arrears, and yet they could not stop the sales for that reason. He agreed that the cases were very rare where fraudulent transactions had taken place. But cases had occurred where agreements had been made, in regard to which a portion of the purchase money had been returned. Cases of that kind might arise, and this clause would not in any way hinder land purchase except in cases where higher prices were being charged or where something fraudulent had taken place. There was another valuable clause, which prevented an advance being made for the creation of a new tenancy. He did not think the right hon. Gentleman had actually understood the object of Clause 13, which was to make the whole of the untenanted land now for sale available for the relief of congestion, for the restoration of evicted tenants, and to give persons who were considered suitable, who had not at present land in their possession, holdings and enable them to work them in the ordinary way. The Report of the Royal Commission stated, after careful inquiries extending over many months, that there was not in Ireland at the present moment enough untenanted land available to carry out these objects. [Opposition cries of "Question?"] There was not at any rate sufficient untenanted land to be obtained for the relief of congestion, which was absolutely necessary in order to secure the prosperity of Ireland. The object of the Bill was to prevent any portion of this land being taken away for other purposes, and it would also check a gross abuse of the Land Purchase Acts which had grown up in Ireland in many counties during the last two years. The system was this. A landlord having in his possession unoccupied land created a tenancy in trust for himself, the trustee being his own servants or mere nominees of his own. He had known it to be done in several cases.

An HON. MEMBER (on the Opposition Benches) said there was no justification for the hon. and learned Attorney-General to make a general statement based on one case.

Mr. CHERRY said he appealed to the experience of Members of the House that this practice was not uncommon.

Mr. JOHN O'CONNOR (Kildare, N.) said that the Estates Commissioners in their Report specially referred to the practice.

Mr. CHERRY said that these tenancies were put up to auction and were sold for large sums under the Land Purchase Acts; in fact, the landlord was paid twice over, he got payment for the tenant right and payment for the value of the land. That was what the Bill proposed to stop. A man could still go on creating tenancies on unoccupied land, but the Bill said that if he created such tenancies he must not do it to sell them under the Land Purchase Acts. He himself looked at this clause as one of the most useful in the whole Bill, and he believed that the great majority of people, irrespective of politics, would agree that a practice which was most reprehensible ought not to be allowed to go on. The right hon. Gentleman criticised at considerable length Clause 14, but he seemed unaware of the fact that the clause he criticised was his own clause; but in a slightly different form. He seemed to forget entirely that he was the Minister who introduced this policy under Section 2 of the Act of 1903. The clause really embodied the results of the experience of the Estates Commissioners in carrying out the Act of Parliament, and was really a distinct advance on the Act of 1903. Why the right hon. Gentleman should object to the clause, he failed to see. The clause provided that unoccupied land might be sold, first, to a person being a tenant or proprietor of a holding not exceeding £10 in rateable value. That would give all the advantages to the occupants of a small holding which were given by the 1903 Act to large holders. Then, secondly, an advance could be made for the purchase of a holding to the son of a tenant or the proprietor of a holding on or in the neighbourhood of the estate not exceeding £30 in rateable value. He thought these subsections were most valuable concessions; and that they would be admitted to be a useful change in the law. The right hon. Gentleman criticised very severely the subsection dealing with the evicted tenants, and suggested that they were re-opening the whole question. But it was merely a drafting clause, which re-enacted verbatim, with the introduction of slight changes in arrangement, the language of his own clause. The right hon. Gentleman made the same curious mistake with regard to the third subsection, which he seemed to think would enable advances to be made with the intention of disturbing existing occupiers. This subsection was, word for word, the same as the subsection in his own Act of Parliament There was absolutely no change in the law. There was nothing in the whole Bill to enable the occupier to be disturbed, and the whole of the right hon Gentleman's remarks that some steps were to be taken under the new Bill to disturb existing occupants were entirely fantastical. There was already in connection with the Congested Districts Board a power to turn out an existing tenant, but notice had to be given before he was turned out, and when he was turned out the Board was bound to provide him with another holding. It had been found exceedingly difficult to get the consent of three-fourths of the existing occupants before an estate would be taken over by the Board. The right hon. Gentleman criticised adversely the compulsory power given to the Estate Commissioners, and he condemned the clause on the ground that it would put an end to voluntary agreements in the future. That was quite contrary to the experience of those responsible for the administration of the Land Acts. He would remind the House that the Act of 1891, which gave power for the compulsory purchase of holdings held on a long lease, actually facilitated voluntary sales, because the landlords generally arranged with their tenants for sale and purchase rather than have fair rents fixed. If this clause in the Bill became law it would therefore not hinder voluntary sales, but facilitate them very much and increase their number. The right hon. Gentleman and other speakers on that side of the House in dealing with the problem of congestion seemed to think that the present Bill proceeded in a different manner from the Act of 1903. Nothing of the kind. They proposed to deal with congestion exactly in the same way and on the same lines as the old Act, except that they enlarged the scope and definition of congested districts. So far from hindering and obstructing the relief of congestion, the Bill would facilitate that relief in every possible manner. Then, objection had been taken to the partially elective character of the Congested Districts Board. He would remind the right hon. Gentleman that the council of the Agricultural Department was partly elective, two-thirds of the Board being elected by the county councils and one-third of the members only being nominated, and good work was done by it for the agriculture for Ireland. It was exceedingly desirable to bring the elected representatives of the Irish people into touch with the economic problems of the country. The county councils of Ireland were doing their work as well as were the county councils in England, and the county councils should have some voice in the solution of this question and some power to supervise what was being done in the way of the settlement of the question of congestion as well as in regard to other land problems in Ireland. As far as the technical work was concerned, the Committee of the Board would have control of the finance and financial matters, and in that way they should combine the electoral with the departmental system, and he believed would really succeed in reaching this problem and dealing with it in a way in which it ought to be dealt with. Then as to the division of the grass lands, it was all nonsense to talk about the country being ruined by it. The cattle trade would not suffer, but would be rather improved. The ranching system was not the only way to rear cattle, nor was it necessary that cattle should always be sold as store cattle; they could be fattened in Ireland as well as in any country in the world, and instead of getting less they became more valuable. There had been a great deal in the papers about the cattle trade having been injured by cattle-driving, but the cattle trade was never more prosperous than now.

Mr. JAMES CAMPBELL (Dublin University): Has it improved it?

Mr. CHERRY: No. It has improved in spite of it, just as the cattle trade will increase even if the ranches are divided. The right hon. Gentleman went on to say that if this system were adopted, not only the cattle trade, but other industries, such as the butter trade, would improve. Ireland was too small for the ranching system which was suitable to Manitoba and the Western States of America, and he believed the division of the large ranches into small farms worked on the mixed system would not only be beneficial to the people who work the farms, but lead to the increased prosperity of the country and the benefit of its inhabitants generally. The hon. Member for Waterford had asked as to the operation of the eleventh clause as to the zones, and how far it would affect pending agreements. As he understood the clause as at present drafted it would apply only to agreements lodged with the Land Commission after the passing of the Bill. It would not apply to agreements already lodged, or which might be lodged with the Commission during the passage of the Bill through Parliament. Then the hon. Member seemed to be under the impression that the fifth clause of the Bill enabled a portion of the bonus to be paid to the remainder man. No portion of the bonus was payable to the remainder man. Under the present Act the bonus was, in some cases, paid to the vendor, and in others it was added to the purchase money. Of course, there was no difference between the addition to the purchase money and payment to the vendor except in the case of settled or encumbered estates. The Bill there proposed that a bonus of 5 per cent. should be paid, as at present, to the vendor, and the larger bonus which was paid should be added to the purchase money. That was to be available for the payment of the charges, and if it was settled it would become portion of the capital value of the estate to be invested, and interest to be paid to the tenant for life, and on his death not his representatives, but the remainder man would take it. This was a matter of detail and one on which suggestions would be considered. He would say, in conclusion, that if there was any suggestion, as there was by one hon. Member, that the Government were not in earnest about the matter, there never was a greater mistake. The Government were in earnest about the Bill and were determined to pass it into law at the earliest moment. It might not be possible to pass it this session, but they hoped to have it introduced as early as possible next session, and they would use every effort in their power to make it the law of the land.

*Earl of KERRY (Derbyshire, W.) said he could not claim to speak on this question with the weight of Members representing different parts of Ireland, but he hoped the House would bear with him while he gave his impressions of the Bill even if he represented no one, at all events no Irishman, except himself; and if his remarks were somewhat coloured from his acquaintance with a particular part of Ireland on the West Coast he would make no apology for that, because it was these congested districts of the West which would be most affected for good or ill by this Bill. The Chief Secretary had said that those parts of Ireland which should have been first had been left to the last, and it was in those districts that land purchase was most backward at this moment, and, therefore, it was there that the question was most important. If there was anything, moreover, in the argument as to the danger to the cattle trade, this danger would be mostly incurred by the small farmers who were engaged in raising cattle in those districts. The Bill, as it had been said, was one which should be discussed in two different parts. The right hon. Gentleman had told them that they must take it or leave it, and consider it as a whole, but he thought that it was impossible to do so. He, therefore, proposed to say a few words on each part of the Bill separately. As to the land purchase question, they were all in agreement as to the necessity of continuing that system. Nobody could have spoken more strongly on that point than the Chief Secretary, who said on the First

Reading that the peace and prosperity of Ireland were irrevocably bound up in its success, and went on to speak of the exceeding great marvel that had been effected under that policy. Everyone was agreed that purchase must continue, and the only question that remained was as to how purchase was to be continued. It was evident that the finance on which the Act of 1903 was founded had broken down, and that more money must somehow be forthcoming. He did not for a moment accept the Chief Secretary's estimate of the extent to which it had broken down, but that there was a shortage in cash no one had denied. That shortage was to be made good, as the right hon. Gentleman had told them, from Imperial funds. It might be asked whether it could be claimed, as a matter of right, that more money for the carrying out of this scheme should be found by the British taxpayer. The hon. Member for Preston did not take that view, and perhaps it was unnecessary to ask anyone to do so, because one could argue it on the lower ground of expediency. If it was expedient to try to settle the Irish land question five years ago by means of a grant from the Imperial Exchequer, which grant had proved to be insufficient, surely it was still more expedient to try to settle the question now, even if rather more money than was originally expected had to be found to carry it to a successful issue. If one considered, not so much the benefits which might accrue from carrying it out, but the disasters which were possible if it was not carried out, it seemed to lend force to this argument. In former days in Ireland he thought one might say that the landlord had been employed as a kind of buffer between the tenants and the State, and when there was trouble the landlord generally came off very badly in the encounter. Under the new conditions the State had practically taken the position of landlord over half Ireland, and if any great disturbance occurred in the country the State, as well as the landlords, must be involved. The Chief Secretary gave the impression that he was very generous to the landlords in providing money for carrying out land purchase more rapidly, but when the matter was looked into it was found that very little money was forthcoming. For the pending agreements he proposed to provide £5,000,000, of which £1,000,000 went to the Estates Commissioners. On the remaining £4,000,000 the annual charge would be about £16,000. The right hon. Gentleman also gave £5,000,000 in stock if the vendors chose to take it, and the annual charge on that would be £14,000, making a total annual charge of £30,000 on the Exchequer. With regard to future agreements, it might be urged by hon. Gentlemen opposite that great generosity was shown by the Government in continuing a bonus at all, but it would be found that this would probably not cost the Government anything at all. There was £3,000,000 left out of the original £12,000,000 voted to be set aside for bonus. This would be sufficient to provide a 3 per cent. bonus on £100,000,000 of sales or 6 per cent. on £50,000,000—a more likely figure. His right hon. friend the Member for Dover had, he thought, proved conclusively that the average rate of purchase for future agreements would work out at about twenty-two years, therefore the average bonus of the future would be (under the Schedule) 6 per cent., and the taxpayer would be put to no further expense. £30,000 a year was a grant not exactly bristling with generosity, especially when consideration was had to the amount that was given to Ireland under the Irish Universities Act, what was proposed to be given to Ireland under the Irish Council Bill, and what would be given to Ireland under the second part of this Bill. He reminded the House that under the present conditions pending agreements could not be cleared off in less than seven years, and if no payment was taken in stock they would take thirteen or fourteen years. The fate of future agreements was shrouded in obscurity, and they heard doubts expressed as to whether they would take place at all. There were three bars to their being successfully carried out. First, the extra $\frac{1}{4}$ per cent. the tenants had to pay; secondly, the fact that the vendor had to take stock at its face value; and, lastly, the fact that the vendor would get an uncertain and greatly reduced bonus. In the second part of the Bill they were facing an entirely different problem from the financing of land purchase, namely, the relief of congestion by compulsory purchase. He pointed out that compulsory purchase marked a new departure, and in dealing thus with the agrarian problem in Ireland the Government seemed to him not for the first time to be confusing the idea of purchase and the idea of tenure. Purchase needed stability and finality to ensure its success, but if alterations in tenure were introduced concurrently with a scheme of purchase its success was bound to be marred. Under the second part of the Bill they were to have a semi-elective body, not responsible to Parliament, dealing with funds which were not its own, with large powers of interference between landlord or tenant, and, what was more serious, between tenant and tenant. He complained that after the Bill became law no initiative would be left to the Irish tenant, because everything would be managed for him by the new authority to be constituted. The Bill was apparently being passed with the avowed object of altering the agricultural system of Ireland. He drew attention to the Minute of Lord MacDonnell, in which he stated his disagreement with sixteen out of fifty-two recommendations in the Report of the Commissioners. Dealing with congestion and the powers to be given to the new Congested Districts Board, Lord MacDonnell said this system would lead to indefinite prolongation of relief operations, waste of public money, the perpetuation of political and agrarian agitation, and the sapping of the self reliant spirit of the people. These were strong words and he asked why the Government had paid so little attention to such an important statement. Then with regard to the breaking up of the grass lands,—nobody denied that there were many uneconomic holdings in Ireland, but it seemed to him that they could not accept the universal definition either of a 30s. per head valuation or of a £10 valuation for a single farm. On the West coast especially, where there was little frost and much rain, it required much labour especially in the matter of draining the soil to cope with the forces of nature. The great difficulty there was that everyone except those immediately interested in the reversion of the land—the eldest son—emigrated to America; and they constantly saw an old couple living by themselves on a farm and quite unable from lack of assistance to do justice to the gifts which nature had implanted in the soil. Cases such as these would not be improved by adding to the size of the holdings, unless they could show that by enlarging the farms they would discourage emigration and keep more people on the land. So far as he knew this had not been shown therefore he did not see that the case for enlarging the holdings in that part of Ireland had been proved. Instead, they would have the same number of people on larger holdings eking out a sort of existence, and the land would go steadily from bad to worse. There was an important point which anyone who knew anything about agriculture would appreciate. If they broke up old grass land, they destroyed a thing of great value, which if not quite impossible to replace, took a great many years to do so. The inherent wealth of the soil would therefore, to that extent, be diminished. That was an important consideration; and, unless they could show that some great benefit was certain to result, he did not think the grass land should be broken up. There was another point. He believed that no less than £14,000,000 yearly was brought into the country by the cattle industry. Perhaps the hon. Gentlemen below the gangway would say that an undue proportion of that went into the pockets of the landlords; but still it did go into the country, and unless it went out again the country must benefit. The man who would be likely to suffer most by the Bill would be the man who was engaged in rearing cattle in the West. He would suffer by the destruction of his market in the centre of Ireland and by the greater competition which was likely in the article in which he dealt by reason of more cattle being raised on the new small farms it was proposed to create out of grass lands. He wished to quote one passage from the Report of the Commission. If there was one strongly expressed opinion in the Report, it was that the landless man should not be admitted in the claims for the grass ranches when they were cut up. The words, appearing in Paragraph 25 on page 47, were as follows—

> "The situation has now grown so serious that we are convinced that if these claims are insisted upon and are supported by public opinion, the problem of congestion, as a whole, cannot be solved, no matter what powers are given to the Board."

The Government had absolutely flown in the face of that recommendation, and in Clause 14 of the Bill had made arrangements by which the landless man, if he did not immediately receive a holding, would at all events expect to receive one, and would be a hostile force to be reckoned with in the settlement of congestion. Lastly, there was the question of the price which landlords would receive. What would they get under the compulsory system? Was it intended that they should get a fair market value of their grass farms or not? The Chief Secretary, in his speech the other day, gave them a questionable picture of the landlords, putting many golden sovereigns into their pockets in all transactions relating to Irish land. How would they fare under compulsion. He supposed the landlords would be considered well off if they got half the value of the grass land they were forced to sell. If they were not satisfied, they were to have the privilege of appealing from the Estates Commissioners to the Estates Commissioners. Although the Government had promised a great deal by the mouth of the Chief Secretary for the continuance of the land purchase, in point of fact, they had as he had tried to show given very little for pending agreements, and nothing for future agreements. It was true they proposed to do a great deal to relieve congestion, but they were doing it in such a way as he ventured to say foredoomed their action to failure. The manner in which they were treating the problem of congestion would create so much dissatisfaction, that the good which might be done to any of the congested tenants who received a new farm carved out of the grass land, would be outweighed by the controversies and jealousies occasioned by disappointed expectations. He, therefore, thought that the policy of the Government, if it became law, instead of settling the question would lead to an intensification of the agrarian problem and of the difficulties of Ireland which they hoped to solve, and which were in a fair way of being solved under the Act of 1903. These difficulties could not be solved unless more money was given for the carrying out of the policy of that Act, nor could they be solved if the question of land purchase was tacked on to new proposals in connection with the relief of congestion. He heartily supported the Amendment.

MR. DILLON (Mayo, E.) said there was one passage in the speech of the right hon. Gentleman the Member for Dover which was heartily cheered from the Irish benches, and he hoped that was duly noted by the Unionist Members. He was enlarging upon the absolute peace in Ireland.

MR. JAMES CAMPBELL: Of parts of Ireland.

MR. DILLON: He did not say parts of Ireland; he said Ireland. He was in full career and was describing the absolute peace which reigned in Ireland as due to the working of his Act when his attention was drawn by the cheers from the Irish benches to the false position he had taken up. That was a good illustration of the different way the position of Ireland was presented to the House by Unionist Members according to the point of view from which they wished to influence it. The hon. Member for Cork had delivered another of his powerful speeches, expressing his objection to the Bill. The hon. Member did not approve of the Bill and he deeply regretted it. He persisted in advising the landlord party in that House and in Ireland to reject the Bill. They all knew that it was in the power of the landlord party, through the agency of their friends in another place, to reject the Bill; but in his opinion they would be doing very unwisely. They had had some experience of how their own friends treated them when they got into power. He could remember the clamour a short time ago against the Unionist Government was very nearly, if not quite, as bitter and as strong as it was now against the Liberal Government. This Bill made considerable concessions, and, if the Irish landlords rejected it, they might find that a Unionist Government, if it were to win at the next General Election, would not be so enthusiastic, in face of a strong Radical Opposition, in voting money for the relief of Irish landlords. He had listened to the speech of the right hon. Gentleman the Member for Dover with amazement. He gave positive and negative reasons for opposing the Bill, and he asked what was the situation which caused the Government to introduce it. He said there were two essential factors in the situation: the rush of applications and the danger of loss falling upon the ratepayers of Ireland. Before that, he had alluded to the state of peace: one would have supposed, listening to the hon. Member, that Ireland was in a state of absolute contentment. He had totally forgotten the stormy questions which came before the House day after day. There were no facts of which the Chief Secretary had to take notice except the rush of applications and the danger of loss falling upon the Irish ratepayers. Those who lived in Ireland would admit that there were other facts of which any responsible Irish Government was bound to take notice. The right hon. Gentleman then went on to deliver one of the most remarkable and astonishing denunciations he had ever listened to in that House. It was levied against what he was pleased to describe as the new policy proposed to be inaugurated in this Bill by the present Government—the policy, he said, of creating a new race of peasant proprietors and of splitting up the grass ranches, which he condemned the other day as economic lunacy. Who was it who first inaugurated that policy? Who was it who led the people of Ireland and the landless men of Ireland to believe that the Government of this country, and a Unionist Government of this country, had committed themselves to the policy of splitting up the grass ranches? It was the right hon. Gentleman, and if there was cattle-driving and disturbance to-day, it was entirely due to the hopes which his speeches in 1903 raised, and which his policy afterwards disappointed. When he and other Members like him were disposed to criticise the Act of 1903, they were told there was no need for compulsion. They warned the Government again and again that they could have no settlement and no peace in Ireland until this great grass ranch question was settled, and the right hon. Gentleman so far from denouncing that policy, praised it. He said it would not be necessary, because it would be done voluntarily under the great inducements which they were offering, though if it proved to be necessary, he would not shrink from it. Whether for good or for evil the effect of the Act had been to raise the price of land by 60 per cent. all round. The Act had been a great success from the point of view of the amount of land which had been sold. But who in his senses would doubt that if they adopted an Act of Parliament, which within two years raised the price of land by 60 per cent., the sellers would come in in greatly increased numbers? The policy of breaking up the grass ranches was not a new policy. He could understand the complaint of the taxpayer against these calls being made upon him. But why was it that Governments had felt themselves coerced into adopting this policy, and making these sacrifices? It was because in spite of great unwillingness on their part that historical claim had been too strong for them, and it was an idle and absurd mocking to compare the policy of planting the people back on the ranches with a similar policy in Great Britain. Had they ever had in Great Britain the clearance they had had in Ireland? What were those ranches and how had they been formed? Let them read the books of any foreign travellers or observers who travelled through Ireland. The first thing that struck them was the condition of the population as regarded its geographical distribution. They were amazed to find that the best land of the country was a desert, while the bog and the mountains were crowded with people. They exclaimed that no other civilised country in the world could exhibit a similar picture. These ranches were crowded within the memory of living men, and when they appealed to the House to carry out the policy which the right hon. Gentleman the Member for Dover himself inaugurated in 1903, but failed to carry out, they asked them not to do some great act of philanthropy, but to undo a historical wrong which they have done to Ireland. This problem spread throughout the whole of Ireland. In County Tipperary in 1845 there were 420,000 people, and soon there were 180,000. Thirty-five thousand inhabited houses had been thrown to the ground within those years. In the case of the Cordon ranch, 135 families, the finest peasantry in the whole world, were living in comfort and decency, paying their rent and doing their business in Templemore, which had been reduced almost to ruin by the extermination of these people. It became the fashion to prefer the cattle to the people, and Mr. Cordon cleared out the whole 135,000, not for non-payment of rent but because he preferred the cattle. If Irishmen had been given popular Government and control of their own country that iniquity could never have been perpetrated, and on Englishmen's consciences lay the cruel wrong which had been done to their people, there and all over the country which was made desert by this infamous process of clearing. They asked Parliament to undo this wrong, and Members of that House were willing to undo it because they were coming to understand it. And they were met by the right hon. Gentleman talking about this being a new policy and ruining the cattle trade! They were told cattle-driving was ruining the cattle trade, but the western fairs were better than they had been for twenty years. As an American visiting Ireland said the other day when he saw these fields left untilled in the midst of a populous country and forbidden to the use of man: "Have I come to a country inhabited by Red Indians where the prairie exists as it came from the hand of the Creator?" The dividing of the grass lands would not improve the cattle trade, and if it would he said: "Down with the cattle trade," if the cattle trade could only be maintained by the destruction and the banishment of the people from the fertile lands. Let every man remember that when they were asked to bring back the people to these lands—and they would have no peace in Ireland till it was done—they were asked to undo a great and recent historic wrong. Hon. Members objected to compulsion, but the right hon. Gentleman himself looked forward to its being applied. They had always demanded it. Assuming that the policy of giving this credit to carry out a great national transaction was adopted, and that they were conferring this great benefit on tenants but still more on landlords whom they had rescued from a falling market with no possibility of selling their estates, would any man have the courage to say that the State was not entitled to maintain control of this operation in its own hands and to see that the money was used to the best advantage and went where it was most needed? But these vast sums of money which had been expended almost without exception had gone to the districts and the estates where they were least needed and which could best wait, and those very parts of the country where the money was badly needed had been left untouched. There were hundreds of estates in Ireland like the Duke of Leinster's estate. There were no disturbances or stress in this case, and yet, under the operation of free sale, the first person who got the money of the State was the Duke of Leinster, who, by taking the bonus, added nearly £4,000 a year to his net income. Much was heard in 1903 about the agrarian troubles in the West. Those troubles remained, and prosperous landlords like the Duke of Leinster and others had profited by the land legislation. Compulsion was a necessary consequence of these great State transactions. Were the credit and finance of the country to be applied to this great object, and was an individual in some part of the country to be allowed to set himself to oppose this great object and set the district aflame? There were landlords like Lord Clanricarde, who would not sell except at notoriously absurd prices, while in peaceful districts sales went on so rapidly that the Commissioners could not deal with them. The troubles in other parts of Ireland went on, and the authorities had no remedy but to pour in extra police to enforce proceedings which in their consciences they knew to be unjust. Could there be more grotesque treatment of the intentions of Parliament? In 1903 the Irish Members again and again expressed the conviction that the zone system would have the effect of ruinously raising prices. Landlords had refused to sell to the Board and had exacted outrageously high prices. In some parts of Mayo the prices had risen from twelve and fourteen to twenty and twenty-four and a half years purchase. In the poorer districts the power of the landlord to coerce tenants into paying a higher price was far greater than in the richer districts, and that was another reason why compulsion was absolutely necessary. To use the money of the State to pay extravagant prices was a scandalous misuse of the credit of the State. With regard to migration, he knew the difficulties were very great, but they had been vastly increased by imperfections in machinery. They had arisen through the operations of unsympathetic inspectors, largely nominees of the landlords, whose distribution of land the Commissioners had often found it necessary to alter. If they had a proper set of inspectors the trouble would be got rid of. Then there were two rival boards, operating side by side on totally different principles in the western districts with the most disastrous results. The distribution of this land was a very delicate operation, and when they found two boards competing for popularity and dividing up the land on different principles in the same district the inhabitants would have to be archangels to avoid disturbances. The difficulties were very great, but they had been very much exacerbated by the causes to which he had just alluded and to others which he did not need to go into at the present moment. No doubt the difficulties were very great, but were the Government going to tell the people in the West that they were going to abandon them? It was impossible to go back. Whatever the difficulties, they must be faced; and if there were no other part of the Bill except that dealing with congestion he would support it with all his heart. He was not in the habit of expressing thanks to the British Treasury, but in the treatment of the Congested Districts Board under this Bill they had done a generous thing by granting them £250,000 to deal with those poor people, and if the money was properly expended it would do a vast amount of good. He could not help the conviction that a large part of the hostility manifested towards the Bill by hon. Members above the gangway was due to the fact that they grudged them this £250,000, because they thought it ought to be devoted to enhancing the price of land. That, to his mind, was a generous part of the Bill, and he should have supported the Bill if there had been nothing else in it but the power of compulsion and what it did for the West of Ireland. The Congested Districts Board had been the object of fierce attacks that night, but whatever criticisms might be directed against that Board it was the creation of the Leader of the Opposition, who had watched it with all the affection of a father. [Mr. A. J. BALFOUR: Hear, hear!] Its work had been a blessed work, and he was grateful to every one who gave it a helping hand. They had heard it said that there was not enough grazing land to go round in the West of Ireland, but he knew of districts where by drainage and road making they could reclaim thousands of acres from the bog and marsh. He could show hon. Members an estate where, by a simple piece of drainage, 2,500 acres of good, rich land had been added to the area of the estate, which before that was absolutely valueless, and out of which economic holdings had been cut for hundreds of families. There were tens of thousands of holdings in the West of Ireland, which could be made perfectly economic at a small outlay. By drainage and road-making they could be reclaimed from bog and marsh and made fertile land. Whatever might be said against the Congested Districts Board, it had opened the road. With limited resources and in the teeth of extraordinary obstacles and obstruction it had done wonders among the people of the West, and had set on foot a work of improvement in their dwellings and on their land that he found it very hard to find language adequately to describe. Therefore, he was grateful to the right hon. Gentleman and the Treasury for what they proposed to do for the congested districts, and was convinced that the Bill would be received with enthusiasm, thankfulness, and hope. Hon. Members above the gangway ought to reflect twice before they put themselves between the people in the West and the promise contained in the Bill. They had heard a great deal about conciliation. This Bill offered a very fair opportunity. If the landlords really wanted to be on friendly terms with their own people let them meet them on this; and, if they must wait till the early days of next session, let them see whether they could not agree on the measure. He welcomed it, supported it with all his heart, and thanked the Government for having introduced it.

MR. JAMES CAMPBELL said that if there were any English or Scottish Members opposite who came into the House that afternoon under the idea that they were going to find in this Bill any contribution towards the settlement of the land problem in Ireland, he very much regretted that they had not had the opportunity of listening to the speech of the hon. Member for Westmeath. That hon. Member—in a speech which he delivered in a very thin House, but speaking with the perfect candour and honesty that characterised his utterances at home, because he spoke in exactly the same style at home, on the roadside and hillside, as he did in the House of Commons—assured the House that the sole and only reason why he would support the propositions contained in the Bill was that they killed the operation of the Land Purchase Act of 1903. But the hon. Member did not stop there; he went on to say that the operations of that Act had accelerated the decay of the Irish nation, and that they were fraught with the greatest possible danger to the Nationalist cause; and he finally wound up by telling the Chief Secretary that he and his countrymen at home had a much more efficacious remedy for dealing with this question than anything that could be found in this miserable Bill. The hon. Member reminded the Chief Secretary that he could and would resort to a no-rent campaign; that there would be a strike against rent, and that the war-chest would be used for the same purposes as it was used in the days of old. The hon. Member also told the Chief Secretary that so far as this Bill made any pretence—and there was nothing more than a pretence—of assisting the problem of congestion, it was a pretence which was due to the policy of the hazel. He also clearly and candidly warned the right hon. Gentleman that the idea which was in the mind of the Government when the Bill was brought in at this stage of the session, when absolutely there was no chance of its passing, the idea that the use of the hazel—meaning thereby cattle-driving—would be suspended during the winter months, was an entirely fallacious idea, and that the hazel would be in use during the coming months. Therefore, he would say that if any Member for an English or Scottish constituency had any notion that the sacrifices that might be involved on the British taxpayer were likely to have any adequate return in the way of bringing peace to Ireland, the frank observations of the hon. Member for Westmeath ought to have dispossessed them of that idea. He wondered what comfort had been brought to hon. Gentlemen opposite by another speech delivered from the same benches that afternoon. He referred to the speech of the hon. Member for the City of Cork. Now, if there was any man who had the right to speak on this question, either from the sacrifices he had made in person or in property, it was the hon. Member for the City of Cork; and that Member had told the House that the Bill was doomed to be a failure, but for an entirely different reason from that put forward by the hon. Member for Westmeath. The hon. Member for the City of Cork said that the Bill would be a failure because it tore up everything that was at the root of the Land Conference, and everything that was to be found in the land purchase legislation of 1903. He himself might say that as regarded the effect of the operations of the Bill, he preferred to adopt the view of the hon. Member for the City of Cork; and for this reason: that he thought, as an honest and impartial man who considered what the Bill proposed to do, that it would and must have the effect contemplated and prophesied by the hon. Member. What were the main features of the Land Conference settlement, and of the Land Purchase Act of 1903? They were very few, but they were very clear. The first was that the transfer of land from the landlord to the occupier was to be the result of agreement, and not of compulsion. That was the principle in the very forefront of the Land Conference settlement, and on the face of every section of the Act of 1903. The next principle was that the landlord was to be secured in the enjoyment of his net income; that was to say, a deduction was to be made for collection and other expenses calculated at 10 per cent., while the tenant was to be secured in a reduction of 20 per cent. upon the second-term rent. Using somewhat technical language, he might say that under the ordinary Land Acts prevailing in Ireland, the tenant every fifteen years could get his rent revised. There had been already two of these statutory revisions. As the result of the first, there was a substantial reduction of rent all over Ireland; as the result of the second, there was a further reduction amounting to 20 per cent., so that, speaking broadly, on the average there had been since 1881 a reduction of 40 per cent. on the rents prior to 1881. Of course, that reduction could not go on for ever. [AN HON. MEMBER on the IRISH benches: Why not?] That interjection was naturally the answer as to the course which legislation might take; but he was assuming that that process would not go on for ever, because both parties to the dispute thought that the limit had nearly been reached in 1903, and the tenants and their representatives thought that they were making an excellent bargain when they secured a purchase system under which they might become owners on a further reduction on the annuity of 20 per cent. in addition to the previous reduction of 40 per cent.

MR. FLAVIN said that the Report of the Land Commission was that the tenants were to get their holdings on twenty years purchase.

MR. JAMES CAMPBELL said that that was a perfectly idle interjection. That was one of the means by which an attempt was made to wreck the proposals in the Bill of 1903, but it was laughed at. Surely, at this time of day, it was perfectly well known, even by the hon. Member for Kildare, if he were an honest man, that the Act of 1903 was accepted and welcomed on all sides as a splendid contribution towards the solution of the problem of land purchase in Ireland. He was old enough to remember at least four great measures introduced into this House with the purpose that they were to be the final solution of the land question, but he could not recall any one of those four which had so much said about it on the point of final settlement as the Act of 1903. Passing from that, the Chief Secretary said the other day, he thought most unfairly, that the object of the bonus given by the Act of 1903 was to enable the landlords to get more than the fair value of their property.

MR. BIRRELL: I never said that.

MR. JAMES CAMPBELL said the right hon. Gentleman did say it, and he had better read the right hon. Gentleman's exact words. From a long experience of the right hon. Gentleman he was quite satisfied that he forgot very often what he had said, and that he did not at the time appreciate the meaning of what he was saying. Speaking of the bonus, the right hon. Gentleman said—

> "It was intended to supply a cash medium to bridge over the possible inability of the landlord, owing to the circumstances in which he found himself, to accept the fair value of the estate."

He read that as meaning that the object of the bonus was to give a little something more than the value of the estate. Everybody knew that the object of the bonus was to give the landlord his net income, with the 10 per cent. reduction for the cost of collection, and at the same time to give the tenant a reduction of 20 per cent. on the second-term rent. It was inevitable, therefore, that a price must be fixed which must be supplemented by the State, because the price which the landlord would be willing to take or the tenant prepared to give could not be made up unless for that expedient. The promise was that the State should step in and bridge over the difference between what the tenant was prepared to offer and the landlord was prepared to accept. Another mode by which this arrangement was intended to be carried out was by the introduction of the system of zones. That was, in order to bring the parties to a price which would on the one hand give the purchasing tenant this immediate and enormous reduction, and, on the other hand, secure to the landlord his former income less 10 per cent. of cost of collection, it was found necessary to do away, in cases which were within certain limits of bargaining and negotiation, with the expense, delay, and trouble involved in an investigation of security and matters of that sort. Accordingly the State and all the parties in this House made an arrangement under which the State said that so long as what was offered for sale were rents which had already been judicially determined by a proper Court, and so long as the purchase price was within the ratio which would secure a reduction of from 10 to 30 per cent. in one case or 20 to 40 in another, the State would allow that transaction to go through without investigation, because they were satisfied that they were amply secured. He was amazed that there should be any question about that, because he understood that the boast of hon. Gentlemen below the gangway had been that in the cases in which the tenants had had the benefit of those zones there had been no default on the part of the purchasing tenant. He agreed that was to their credit, but was it not also the strongest proof that the State had suffered no loss under the system? The Bill not only absolutely destroyed the zones, but it interfered with the bonus, and it destroyed the essence of the earlier settlement that these arrangements were to be the result of voluntary agreement and not of compulsion. To him that was all the more extraordinary because on the admission of the right hon. Gentleman opposite the Act of 1903 had worked so well. What had caused the difficulty had been the success of the Act of 1903, and yet this was to be the period selected for the purpose of introducing a new system of killing voluntary purchase. If the compulsory system was successful it must inevitably exaggerate and intensify the block. One would have thought that if the plan of the agreement carried out by the Act of 1903 had been so successful that the Estates Commissioners' offices had become congested with proposals of landlords and tenants who were rushing in to get their sales completed, it was the last possible time at which to attempt to interfere and introduce a system of compulsion against that of voluntary agreement. But that was not the view of the right hon. Gentleman opposite. What did the Bill propose to do with regard to the zones? There had been a marked difference of opinion among hon. Members on the benches below the gangway as to the meaning and effect of the provision of the Bill dealing with zones. The hon. and learned Member for Waterford said it was to be discretionary with the Estates Commissioners, and he was certain they would only resort to it in exceptional cases. The hon. Member for Westmeath said the zones were a thievish device, and unless the Estates Commissioners threw them aside and ransacked every case the no-rent campaign would again be raised in Ireland, and all the troubles of olden days would be repeated. All he could say, with full knowledge of the action of the Commissioners from the hour they were appointed, was that these provisions would not be a dead letter in their hands. From the hour that they were appointed they had resented this limitation of their powers, and they sought to investigate the security in every case. In 1903 the hon. Member for Waterford told them that the great merit of the proposals of the right hon. Gentleman the Member for Dover was that the Estates Commissioners would be merely administrative officers and were to have no judicial functions. From the hour that that Bill passed into law the struggle on the part of those gentlemen had been to acquire for themselves those judicial duties and responsibilities which were never contemplated or intended. If there was one thing more remarkable than anything else with regard to the action of the Estates Commissioners it was the efforts which they had made to throw over these zones, and to arrogate to themselves the right to investigate the security even in the zone cases. He did not want to elaborate that further. Everybody from Ireland, and the right hon. Gentleman himself, knew that what he said was correct and true. Further than this, they were very ingenious, and in order to give themselves a jurisdiction which the Act deliberately prevented them from having, they invented the provisional declaration, although the statute allowed for the making one declaration only. Pending the making of the final declaration, they proceeded to investigate the security in all cases absolutely in the teeth of the sections of the Act. What the Chief Secretary's statement, that in their discretion the Estates Commissioners might disregard the zones, amounted to was that in every case within the zones there would in the future be the same delay and trouble and procrastination as had taken place in the case of non-judicial holdings. In that connection he would quote a remarkable statement made by the Chief Secretary on the First Reading of the Bill. He said a great deal could be done by quickening the inspection of estates, and lessening points of law, and points of title, and by enabling the three Commissioners to work separately rather than together. But how had he lessened the inspection of estates? Why, by introducing this provision giving the Estates Commissioners power to dispense with the zones. By doing so the Chief Secretary had trebled the work of the Estates Commissioners and their staff, and the delay that would inevitably take place in the investigation of these cases. With regard to the bonus, the right hon. Gentleman was not satisfied with revising the percentage; he proposed to recast the whole business on an entirely new scale. The right hon Gentleman proposed a system of graduation by which he was putting the largest possible inducement in the way of the landlord to insist upon getting the very last penny out of his tenant. If a landlord took seventeen years purchase for rent of £100, he got a graduated bonus of 14 per cent., which meant a total of something like £1,945. But, if he insisted upon twenty-five years purchase, it was true he only got 3 per cent. of bonus, but he got £2,500 to start with, so that his object and interest must be to screw the purchasing tenant up to the highest possible number of years purchase.

MR. DILLON: What is the present system?

MR. JAMES CAMPBELL said the present system was not that with which the hon. Member for Mayo agreed. The hon. Member for Mayo tried to wreck the Bill of 1903, and he had been honest and consistent throughout. But from those who supported it, including the hon. Member for Waterford, the criticisms were strictly limited to the amount of purchase money and the number of years purchase, and those who supported it agreed that it carried out what its promoters and those who took part in the conference contemplated throughout. What was the excuse for the legislative vandalism of this Bill? There had been a block, not from the failure, but from the success of the Act; and there had been a loss on the flotation of stock to provide the purchase money. In what way did the Chief Secretary propose to relieve either difficulty? If he had found in the proposal of the right hon. Gentleman an honest or even a plausible attempt to deal with these two difficulties, he would have supported it, but he challenged any hon. Member to show that he had made such an attempt. As regarded the loss on the flotation of stock, it was perfectly ludicrous to say that the Treasury was conferring a favour upon Irish ratepayers, for the Development Grant, which was especially earmarked as the guarantee for any such loss and which then, subject to two prior charges upon it, amounted to £160,000, had since been diverted by the right hon. Gentleman opposite to a number of other purposes, so that it had been reduced to £100,000. Compulsory sale was one of the main features of the Bill, but the Chief Secretary, in introducing the measure, dealt so casually with this revolutionary principle that the House was left under the impression that compulsion would only be used when a boundary question was in dispute. The Bill gave absolute power to the Estates Commissioners, in any part of Ireland, to go to a landlord and compel him to sell to his tenants. All that the tenants of any estate had to do was to send in a ridiculous, unreal, hypocritical proposal to their landlord, and, no matter how sham that proposal was, it gave jurisdiction to the Estates Commissioners to compel the landlord to sell. Another provision in the Act of 1903 was that in cases outside the zones the Commissioners were to sanction the matter, unless they considered it was inequitable. But the Bill not merely proposed to enable the Commissioners to inquire into the equity of the transaction, but it actually gave them power to tear up and go behind every former adjudication of every Land Commission, and examine afresh into the question whether the landlord or the tenant owned the improvements on the holding.

Mr. FLAVIN: They had these powers under the former Act.

Mr. JAMES CAMPBELL knew the exact opposite. He wanted the Chief Secretary to explain to the House in what single particular the Bill facilitated the despatch of business in connection with ordinary land purchase. The right hon. Gentleman had told them more than once that his main object was to facilitate land purchase and shorten delays, to lessen investigation and diminish inspection, but he gave the Estates Commissioners, for the first time, power to resurrect all past transactions, and start fresh inquiries to ascertain whether the landlord or the tenant owned the improvements, and whether the landlord got too much or the tenant too little. The right hon. Gentleman's case was that the block had arisen in part owing to the expense and delay of inspection and investigation under the Act of 1903, and that he was anxious to curtail that inspection and investigation. Yet the right hon. Gentleman conferred, for the first time since 1903, a new power on the Estates Commissioners, and gave them a roving commission all over Ireland to reopen every case that had ever been heard by the Land Commission, and to investigate every case in which a fair rent order existed. That would accentuate congestion, and make confusion worse confounded. So much for these provisions to deal with ordinary land purchase. He wanted to know again, and he asked the right hon. Gentleman to state in the House, in what single particular he had facilitated the despatch of business in connection with ordinary land transference. But there was another section of such a remarkable character that he would like to say a word about it, more particularly as the Attorney-General for Ireland had, as he understood, completely misrepresented its effect and its scope. Under the provisions of this Bill the Government proposed, for the first time, to deprive the landlord in Ireland of his ordinary power of resuming his holding in the event of the tenant refusing to pay rent. It was proposed to be done in a very circuitous but very ingenious way. Under Section 13 it was provided that on and after the passing of the Act no advance was to be made to a landlord in respect of the purchase of any holding if the tenancy was created after 1st January of the present year. What would be the result of that? Supposing the policy of the hon. Gentleman the Member for West meath were carried out, and when he returned he again raised the flag of no-rent campaign. What was the landlord to do if he evicted the tenant who declined to pay his rent? That holding for all future time was to have a black mark against it, and the landlord would never be able to sell it under the Land Purchase Acts. The result would be that in future the dishonest tenant or the tenant who had joined in a plan of campaign or any other illegal operation would only have to sit tight and pay nothing. The landlord could not eject him, because if he did he could not get a new tenant to take the holding, as a new tenant would not be allowed to buy under the Purchase Acts. The result of Section 13 was unjustly and arbitrarily to deprive the landlord of that which was recognised all over the Empire as his elementary right, the right to recover the holding if the rent was not paid. He passed away from these matters to others which were supposed to deal with the ordinary land purchase, and he confessed that had the Bill been confined to these proposals he would have been utterly at a loss to understand why it was ever introduced. But a more careful consideration of its other provisions led him to the conclusion that it was introduced for a much more serious and sinister purpose. It was introduced in pursuance of a policy which the right hon. Gentleman opposite had consistently pursued from the day he took office as Chief Secretary for Ireland. The right hon. Gentleman took office in the month of January 1907, and simultaneously the cruel and cowardly campaign of cattle-driving broke out. It lasted till the month of November, 1907, without a word of complaint of any sort or kind falling from the lips of the right hon. Gentleman. Not only did the right hon. Gentleman not complain of it, but almost his first official act in Ireland was to let loose a body of men who had been caught red-handed in the crime, and who, when called upon to give sureties for the peace, defied the magistrates, and were sent to prison for three months in default. Almost the first official act of the right hon. Gentleman was to set those men free after fourteen days incarceration. The campaign continued up till November, 1907, and during that long period the right hon. Gentleman never uttered one word of condemnation of it. Some of the right hon. Gentleman's colleagues, notably a distinguished Member of the Government in another place, and the right hon. Gentleman the Vice-President of the Board of Agriculture gibed and sneered at it. But speaking for the first time in Ireland on a public platform in November, 1907, the Chief Secretary used language of which he did not believe the right hon. Gentleman realised the gravity. He did not believe the right hon. Gentleman had any conception of the sort of audience which he addressed, but he told that audience that he was in thorough sympathy with the strong desire of the Irish people for the land. [Cheers.] He did not hear any cheers from the Ministerial side of the House. [MINISTERIAL cheers.] He was very much obliged for those cheers; he did not hear them before. The right hon. Gentleman went on to tell his audience that if the Irish people would only pursue their demand with the same courage and energy that had been recently displayed, His Majesty's Government would give them anything and everything they wanted. [Cries of "Quote."] Did the right hon. Gentleman say he did not use that language?

MR. BIRRELL: Certainly.

MR. JAMES CAMPBELL said he could only say that the right hon. Gentleman's speech, in the very terms he had mentioned, was published in every Dublin newspaper and in the London *Times*, and he would undertake to give the exact paragraph. But, be that as it might, this much the right hon. Gentleman could not deny: that while this cattle-driving campaign was going on from January till November, 1907, he never uttered one public word of reprobation, but, on the contrary, during all that time he allowed the organisers of the United Irish League and many Members sitting below the gangway to go throughout the length and breadth of Ireland inciting and encouraging to this crime. The right hon. Gentleman had said that his language on the occasion mentioned was not exactly what he (Mr. Campbell) had said it was. He had quoted it perfectly fairly and accurately, but the best test of that was the action of the right hon. Gentleman the Member for Westmeath, who, a fortnight later, made a speech on the roadside in the county of Meath, in which he said that the Chief Secretary's speech was a direct encouragement and incitement to cattle-driving. The hon. Gentleman said that he knew and he had it of his own personal knowledge that there were certain members of the present Government who were in active sympathy with cattle-driving, and he further said that if the right hon. Gentleman had the courage of his speech he would at once proceed to legislate for the benefit of the cattle-drivers. He (Mr. Campbell) might also inform the House of what was no secret to the right hon. Gentleman, that from the date of the speech delivered by the right hon. Gentleman opposite up to the present day men who had been caught red-handed in cattle-driving, proclaimed on the roadside and in the court house that they had the right hon. Gentleman behind them. Towards the end of December, 1907, the right hon. Gentleman in another public speech said that he was glad to say that the incident of cattle-driving was now closed, and, encouraged by that assurance, the present Prime Minister and the Secretary for Foreign Affairs came forward on public platforms and said that cattle-driving was immoral and illegal and that the Government were determined to put it down. They thought that was a safe assertion after the Chief Secretary for Ireland had told them the incident was closed. But what had taken place? Was the incident closed? Why, in the year 1907 there were only 380 cases altogether, while during this year, after the incident was stated by the right hon. Gentleman to be closed, there had been over 500 cases of cattle-driving. Was it any wonder then that the hon. Gentleman the Member for Longford, when he read the provisions of this Bill, informed the special correspondent of the *Irish Independent* newspaper that his opinion of the Bill in a very few words was "splendid—a complete vindication of cattle-driving." And the hon. Member for Westmeath to-night had told the House that while the Bill was only a sham and a humbug anything that was in it was the result of the cattle-driving agitation. Therefore, he thought he was entitled to say that the Bill was never honestly intended to do any good to ordinary and legitimate land purchase in Ireland, but was really the result of a cowardly surrender to the cattle-drivers. Let him say a word in conclusion, and hon. Members opposite, who seemed to be so impatient, should remember that they were disposing in one day of the Second Reading of a Bill which, for good or evil, must have a tremendous influence and effect upon his fellow-countrymen, and might also, to a large extent, involve the credit of the Imperial taxpayer. Let him say a word or two in conclusion with regard to the provision that was supposed to deal with the evil of congestion. No man, at least no Irishman—and he was sure hon. Members below the gangway would admit he was an Irishman—who knew anything of the true state of affairs in the West of Ireland could fail to desire a remedy for that state of things. But there was a great deal of exaggeration with regard to congestion there. He could assure hon. Gentlemen opposite that the position was by no means so bad, or anything like so bad, as was to be found in the slums of many large cities and towns in England and Scotland. What was the position? Why, in these congested districts in the West of Ireland there were men possessing a house and a holding of anything from five to ten acres of land, and for which house and land they paid from 2s. to 2s. 6d. a week. [Cries of "Oh!"] They might take it from him it was so, because the fair rent of this congested land, including the house, throughout the West of Ireland was something under 5s. an acre, and the tenant for whom they had been exhausting all their sympathy got for a rent of 2s. or 3s. not only a house but also a holding of from five to ten acres of land. Those tenants lived under conditions of far greater comfort, far greater cleanliness, far greater freedom than did the labourers and workmen in the slums and congested districts in the cities, but at the same time it would be very desirable if their conditions could be improved. What he complained of was, that if the Bill were carried out to its logical conclusion, as was proposed to be done, and they put the whole land of the West of Ireland through the mill of compulsion, the result would be that they would stereotype the whole of Ireland with holdings of not more than 30 acres of land, insufficient to support any man with decency and comfort and enable him, at the same time, to send his family out into the world as they ought to be sent. They would do that under conditions which, thirty years hence, when the present occupiers and their families had come to manhood, would involve a fresh return and a fresh distribution. There was one matter in connection with the project for the relief of congestion to which the State ought to pay very special attention. The hon. Member for East Mayo had suggested that there was nothing in the proposals of the present Government which were not to be found in the Act of 1903. He would like to know from the hon. Gentleman whether he found in the Act of 1903 anything relating to the extraordinary development by which power was given to the Congested Districts Board to introduce for the first time on to untenanted land men who, up to that date, had never had an acre of land or one hour's experience of a farmer's life. That was absolutely new, and he saw no end to the amount of liability that might ultimately be imposed upon the British taxpayer; because if that principle was to get abroad, if they began to take over the whole of the untenanted land in Ireland, not for the improvement of holdings, not for the benefit of existing tenants, but for the purpose of taking the men and boys out of the towns and villages and transplanting them from city or town life to rural life, then all he could say was, they were opening the floodgates to a volume of possible liability in connection with the Imperial Exchequer that might ultimately become a very serious burden indeed. He thought the right hon. Gentleman the Chief Secretary had been very badly advised indeed by those who induced him to represent that the problem of ordinary land purchase in Ireland would involve a sum of £180,000,000. The right hon. Member for Dover had referred to it, and he intended to deal with it very briefly. They were told that the calculations which produced that figure would be laid upon the Table of the House, and they were now available for the first time. How did the House imagine that figure had been arrived at? It had been arrived at in the first place by taking the whole agricultural area of Ireland, and that included the bog of Arran, every mountain in Ireland, every residence and every plot of ground occupied by public buildings outside a town or a village, and every labourer's plot on the farms that were bought up under the old Irish Church and Deeds Acts. All those things had to be brought in in order to make up that ridiculous total of £180,000,000. He appealed confidently in that matter to the right hon. Gentleman the Vice-President of the Board of Agriculture. Did he suggest that that was a reliable figure? Did he not know that it was far nearer the mark that in any view the total amount that would fall upon the British taxpayer of all the capital that ever would be required in respect of land purchase was, at the outside, £120,000,000? He could find nothing in the Bill that was calculated in any way to relieve the present congestion in the Estates Commissioners' office; he could find nothing that in any way carried out the bargain to which the honour of the House of Commons and of the people of England was pledged, the bargain on the faith of which £53,000,000 was waited for by persons who had entered into agreements. He could find nothing in the Bill which advanced their position by one hour. So long as he found that the block, the delay, was to be exaggerated and intensified under this Bill he, for one, would be no party to accepting or supporting a proposal not honestly meant to remove that block or to assist the honest landlord or honest tenant who had made their bargains on the faith of the existing law, or to get rid of the difficulties in the way of the tenants who were waiting to buy. All these clauses in the Bill were intended merely as scaffolding for the purpose of introducing the relief, the promise of which had been wrung from the right hon. Gentleman by the cruel and illegal campaign that was going on. To prove that that was so, he would bring in the aid of the distinct and clear testimony of the hon. Member for Westmeath and the course of conduct pursued by the right hon. Gentleman the Chief Secretary for the last twelve months in Ireland. So long as he found that that was the only purpose to be served by the Bill so long would he continue to offer it his most uncompromising opposition.

*Mr. BIRRELL: The hon. Member for Westmeath has, once or twice in his life, stood in need of professional assistance, and he has had it to-night of the very best kind Ireland can produce, and he has had it for nothing. I hope he is very much the better for it. I am very much surprised that the right hon. Gentleman should have thought it worth his while on an occasion of this sort, at this somewhat late hour, to devote so much time to my very unworthy administration in Ireland, or to endeavour in some way or another to connect this Bill with my laxity in the administration of the law in regard to cattle. My withers are unwrung in the matter, for I entirely fail to see any connection between these subjects. A great portion of the early part, at any rate, of the animated speech to which we have just listened, was devoted to a very severe attack upon the clause of the Bill which deals with the zones. It is one of the misfortunes of Irish administration that no Government, not even a Conservative Government, can select anybody in Ireland, or any three men in Ireland, for an important public service, but he or they will be abused by Irishmen in a manner which I think would be excessive were they fraudulent directors of a bubble company. All I can say is that it complicates very much the work of administration when a right hon. Gentleman occupying the position that he does in this House, should think it worth his while again and again to make personal attacks on public servants in the position of the Estates Commissioners. After all, they were his own choice, not mine. I think it most unworthy of him. The hon. Member for Westmeath complained that the zones were not abolished and one of his gravest charges against this Bill was that these iniquitous zones were left exactly where they were. Neither the hon. Member for Westmeath nor the right hon. Gentleman was perfectly accurate in this matter. The zones are not abolished. The right hon. Gentleman will be very much surprised—so violent is his animosity that I daresay he will not believe me—when I make the statement that when the Estates Commissioners were asked, as I did ask them, whether or not the zones should be abolished, they with one accord said that they had no desire that the zones should be abolished. I do not know whether the right hon. Gentleman believes me——

Mr. JAMES CAMPBELL: Oh, yes.

*Mr. BIRRELL: I am glad to know the right hon. Gentleman believes me sometimes. But he does not believe the Estates Commissioners at any time; that is the state of mind to which partizanship has reduced him. These three Estates Commissioners are not in favour of abolishing the zones and for a very good reason. They agree with me that it is undesirable in the present state of affairs to add anything to the burden of the work of the Land Commissioners. I think the zones were, from a Treasury point of view, a most extraordinarily dangerous experiment, but as they have been in existence so long, and as I am most desirous not to add to the work of the Department, I have left them alone. When the right hon. Gentleman says he believes that Clause 11 is tantamount to the abolition of the zones I ask him to bear in mind one of his own regulations made when he was one of the Law Officers of the Crown in 1905, which gave to the Estates Commissioners in every case in which application is made to them power to inquire "whether any intimidation has been exercised, directly or indirectly, in reference to or in connection with such application, or the subject-matter thereof or the estate or land affected thereby." and thereupon to postpone such application.

Mr. JAMES CAMPBELL: What became of that?

*Mr. BIRRELL: It may be a reason why the right hon. Gentleman has such animosity that the Commissioners did not pay quite as much attention to the Regulation as he thought it was worth. At all events it shows that the right hon. Gentleman was himself well aware that there are, I do not say many, but a quite sufficient number of cases in which it is of the utmost importance that there should be resident in the hands of these three gentlemen the power, not of interfering whenever they choose, but whenever they have reason to believe that the sale is inequitable, unfair, or dangerous to the State. That is all Clause 11 does, and to say that the introduction of such a clause is tantamount to the abolition of the zones in every case is only an instance of the state of mind to which I have already, perhaps more than sufficiently, alluded. We have had a great many speeches in this debate to almost all of which I have listened, and some of which I am glad to say were mutually destructive of one another. But one point I own, as I listened to the speeches of the right hon. Gentleman the Member for Dover and of the hon. Member for Cork, filled me with amazement. They seemed to bring an accusation against this Government that we—finding land purchase working admirably, going on quietly at the rate of £5,000,000 a year, which was all that the right hon. Gentleman the Member for Dover was ever in a position to promise, that we, finding it working quite satisfactorily to landlords, tenants, and ratepayers, were not content to leave things alone—*quieta non movere*—but, like mischievous boys, thrust an iron rod into this calm, well-considered machine of land purchase and brought it to an abrupt and sudden conclusion. And that we have done this of our own motion, taking on ourselves the serious responsibility of introducing a measure of this kind. But the Chief Secretary for Ireland, however incompetent he may be, has at all events some means of knowing what Irish opinion is on this subject, and all I can say is that this quiet state of mind on the part of landlords, tenants, and ratepayers is novel to me. What were the landlords of Cork doing long before the Bill was introduced? They were bringing accusations against the British Treasury, charging them with being like a fraudulent South American republic and repudiating their undertakings. As for the idea that the ratepayers were perfectly calm and quiet the hon. Member for Cork who suggested that evidently does not live in County Kildare. There it was not a question of the Irish Development Grant, because under the Act of 1903 there are incidental expenses which fall immediately upon the ratepayer, and the Irish Development Grant is not in the position of a makeweight. Owing to the large scale on which land-purchase had operated in Kildare the ratepayers were called upon to make certain payments by virtue of the bargain embodied in the Act of 1903. I do not know whether this interfered with their slumbers—I happily do not share their pillows—but I know they took proceedings at law in the matter and there was a petition of right against the Crown in order to ascertain whether or not these charges were legally imposed upon them. I am at all events assured that the ratepayers of Ireland, so far from taking things quietly, were in a state of great alarm and trepidation pending the approach of the time when they would have to fulfil their part of the bargain and meet the losses on flotation of stock. I must own I heard with something like horror the suggestion made by the right hon. Gentleman the Member for Dover that this bargain was never for one moment contemplated as a real one and it was never supposed when it was introduced into the Bill that the guarantee fund, these grants which the Treasury hand over every year—because mind you it is not a question of getting money out of the pockets of the ratepayers, but it is in the power of the Treasury to stop these grants from the public authority, thus adding to the rates—it was, I say, very surprising to me to hear that that part of the Bill was all "flam," that there was no reality in it at all. I do not think that that was explained to gentlemen from England or Scotland. Some criticism, I know, was made at the time of the proposal. It was suggested that it was not a very valuable security, because it was a very difficult one to realise, but hon. Members on the benches opposite defended it as a very substantial part of the bargain. Now we are told quite casually that there never was anything in it and there was no occasion for the ratepayers of Ireland to fall into anxiety on the subject, because though everybody knew perfectly well that it was absolutely a vital part of the Act of Parliament it was one that gave no protection at all to the Treasury. We are now calmly assured that when the late Government brought forward the matter they never intended it and it was merely a humorous joke which everybody in Ireland disregarded. That was not the view of the Irish ratepayers, and that was why in the speech I made when I introduced the Bill, to which I will not now refer, I dwelt necessarily upon the size of the problem and showed what a serious responsibility this was upon the ratepayers of Ireland. All I can say is that unless this Bill, or some Bill, passes the heavy responsibility upon the Irish ratepayers will still remain. I do not know by what means Gentlemen opposite propose to dispense with the Act of Parliament and propose not to put the bargain into operation because those on whom the burden falls do not like it, but I say that this Bill or some Bill is absolutely necessary in order to relieve the Irish ratepayers from the burden. We have heard to-night something of the generosity of the British taxpayer. My hon. friend the Member for Preston made one of those clear, lucid, speeches of his to which I always listen with great interest. I always feel that if I was in a room with the hon. Member and an air-pump had exhausted all the air from the room I should cordially agree with him with my last breath. I cannot resist that atmosphere, but I think to apply the arguments he used to Ireland is a little bit to overlook the essential part of the problem. It reminds me of the Cambridge problem which we used to have forty years ago, and which had something to do with an elephant. It used to begin : "Let us assume that an elephant has no weight." That was an assumption I never found myself able to make. An elephant has weight. Ireland has weight, and anybody who has any concern with Ireland will know that to apply the cool and logical reasoning of the hon. Member for Preston to the state of Ireland is practically impossible. I, for my part, cordially recognise the obligation on the part of this Imperial Parliament. If it wishes to do its duty by Ireland, to redeem past errors which have undoubtedly driven Ireland into agricultural work as almost its sole industry, we are bound to do something. At the same time I do not quarrel with the hon. Member for Preston, or any other hon. Member who, after we have had five years experience of this Act of 1903, does stop to ask, what does it mean, what does it come to, and what are the existing liabilities under it, supposing no alteration is made in our legislation. I will not go over the figures which I gave before, but I will just ask you to see what the bonus of £12,000,000 meant. That was a limit. The £100,000,000 was an estimate, but the £12,000,000 was a limit, and without an Act of Parliament the Irish landlords cannot have one penny more. They must come to this House for the permission, granted out of generosity or from a sense of justice, of the Imperial Parliament to give them something over and above that £12,000,000. As regards that sum if you take the average price of the issue of stock, 88$\frac{5}{16}$, which is very considerably more than the price at which it stands to-day. you will find that the excess stock you have to issue in order to get £12,000,000 cash amounts to £1,600,000. Therefore, in order to find a cash bonus of £12,000,000 the Exchequer becomes liable to pay £13,600,000. We have in our sliding scale, if the Bill becomes law, added something to the bonus. It is indefinite, it may be impossible precisely to calculate, but I feel certain that, including the excess stock, to put the estimate at anything less than £3,000,000 would be to under-estimate it. That makes a total cost to the Exchequer for the bonus of £16,600,000, instead of £12,000,000, which was laid down by the Act of 1903 as the limit. The burden which was assumed by the Act of 1903 has therefore been enormously increased. The House must bear in mind that the £12,000,000 which goes by way of bonus is procured by the issue of stock, the interest and sinking fund on which is paid every year by way of Vote and it takes sixty-eight years before you get rid of it. Then, not only is there the bonus, but the Treasury also undertakes losses on flotation in respect of pending agreements, and this as I showed when introducing the Bill amounts to a gigantic figure. With regard to my calculation that the right hon. Gentleman the Member for Dover had, as a matter of fact, under-estimated the extent of the problem, I may say that he estimated it at £100,000,000, whereas I said that I was convinced £180,000,000 would be nearer the truth. The right hon. Gentleman complained that he had not had the White Paper as long as he would have liked. That is not my fault, because no day has passed without my pressing for the production of the document. I am very sorry that the right hon. Gentleman has not had it in his possession for a sufficient time to enable him to give it full study. I am certain that when he does come to study it he will find that, if he has partially succeeded in making out that £180,000,000 is rather a high estimate, he will have to agree that his own estimate of £100,000,000 was very much below the mark. At the present date the total amount of completed and pending transactions is £80,000,000, and therefore, according to him, there would be only £20,000,000 left. Everybody who knows anything about the state of things in Ireland must see that you cannot get all the land in Ireland that is likely to come within the Act for anything like £20,000,000, and therefore, obviously, an estimate of £100,000,000 was entirely insufficient. We may safely assume that a great deal more than £100,000,000 will be required. I am sure that it will be more than £160,000,000 and my own belief is that £180,000,000 will be found an under-estimate rather than an over-estimate of the extent of the problem. The right hon. Gentleman the Member for Dover spoke as if the Act never contemplated anything except the sale of agricultural holdings to the existing tenants. But the working of the Act of 1903 has knocked the bottom out of that calculation, because town plots and large grass farms have been freely sold and advances have been made upon them, and even houses in towns and villages when they formed part of an estate which was being sold. The town of Boyle, with 2,400 people, has been sold as part of the King-Harman estate, and the town of Athenry, with 1,000 people, as part of the Lambert Minors estate and the Duke of Leinster's estate which was sold consisted largely of grass land. I think it is probable that when the right hon. Gentleman contemplated his Bill he did not propose allowing large advances to be made. The first print of the Bill indeed indicates that he did not. It is quite possible that in making his calculation he excluded from his purview any large farms, but as a matter of fact under the Act as it eventually became law advances were allowed up to £7,000, and it has been calculated by experts that at least £40,000,000 must be calculated for holdings exceeding £3,000 in price. If you had confined your Act to £3,000 holdings, you would have been able very much to restrict its operations, but the moment you go up to £7,000 it becomes impossible to say what agricultural land can safely be excluded from the operations of this Bill. Bog lands are at a low valuation. Their price is not great. All our calculations are based on valuation, and there is a low price corresponding to the low valuation and a high price to the high. I think it would be found exceedingly difficult, having regard to the conditions in the Act of 1903, safely to rely upon the exclusion of very much of the agricultural land. Demesnes and home farms can be sold by the owners and bought back. I do not think there was a more beneficent provision in the Act. I think it a most excellent provision that a large landowner, having sold all the occupied land he has to his tenants, should have the opportunity of buying back his ancestral home, surrounded by the plantations which he and his forefathers had made, and it may be the home farm with it. And the landlords are allowed the further extraordinary privilege of selling for cash and buying back by paying in driblets. A more tempting proposal could hardly be made to an Irish landlord, it seems to me, than that he should sell his tenanted land on the beneficent terms of the Act of 1903, and also, at the same time, have the liberty of buying back his demesne and home farm upon the same Act's generous terms. But since that provision is in the Act it brings in all the demesnes and all the home farms in Ireland, as possible subject-matter for bargain and sale under these Acts. I am, therefore, satisfied that my figures were accurate for the purpose of my calculations. I desire to adhere to them, and to reaffirm all the figures I gave in the speech I made when I introduced this measure as showing the extent of the pressure. Now what are we doing? The Runciman Committee thought it would never do for the Exchequer to take upon itself the responsibility of paying for all this excess stock. But the Government have disregarded their advice and have assumed the whole burden in respect of all the pending agreements. It was a very cool thing, if I may be allowed the expression, for a certain gentleman from Ireland to say: "Thank you for nothing," because everybody knew, he suggested, that was never really a substantial part of the bargain, and everybody knew it was all humbug from the beginning. That is not the right way to look upon this solemn obligation which is now to be taken over by the Treasury once and for all. With regard to the bonus I am prepared to maintain that a graduated bonus is far fairer than a bonus which is larger the greater the amount of money a man has been able to get for his estate. I am quite prepared to argue that point, but I should keep the House all night were I to go into such a matter, and I will not. Temptation though it is, I will resist it. Passing away from that, I say we have, by this Bill, assumed this obligation. It is quite true, as I stated, being desirous that there should be no mistake about it, that it was not the present intention of the Treasury, in the state of the money market, to issue a greater amount of stock in any one year than will produce £5,000,000 cash. I adhere to that. But that is not part of the Bill. Other Governments which succeed us, if they choose, may try what experiment they like with the money market. They will have the benefit of the advice of the hon. Baronet the Member for the City of London and I do not know whether he will advise them to plunge largely into these transactions. On the subject of congestion I have been most cruelly disappointed in the way this part of the measure has been received. I had thought everybody in this House adhered to what I will call the traditional view of all the best people in Ireland for the last thirty or forty years that this problem of congestion, on which the right hon. Gentleman who preceded me seemed almost to cast a sneer, was a grave problem concerning 500,000 of people living in such conditions of poverty that every three or four years great sums have had to be expended on their relief. If ever there was a subject which appealed to the heart and consciences of the people I should have thought it was our obligation towards that population in the west. All I would point out is this, that if you assume that obligation there is only one way by which you can carry it out, and that is by increasing their holdings. You must make their holdings economic, so that the people may live and thrive, and you must teach them agriculture, or else you must leave them to perish by the laws of political economy or to be emigrated. If they are to remain in Ireland their holdings must be increased, and they can only be increased by dividing among them the untenanted land. We are not, I may point out, taking away the land of anybody who has acquired a holding under the Land Purchase Act. The only untenanted land you can give is the land now used for cattle-grazing. If that will injure the cattle trade—I do not believe it will—it must, or you must leave this problem alone. That is a proposition which will not be denied. There is no use pretending to be sympathetic if you will not take the only step. You cannot have it both ways. You cannot keep these great cattle ranches which are said to be beneficial to the cattle trade of Ireland and at the same time make economic holdings. You have to choose between the two. I adhere to every word I have said in regard to this matter. The question about compulsory sale I need hardly go into now. Compulsory sale I may point out was involved in the Act of 1903. It was only a question of how long it could be postponed. Everybody must agree that if you were going to give the Irish people the benefit of British credit for the purpose of making them freeholders of the soil, the time would come when you would have disposed of all agreements that could be arranged under voluntary agreement. But you cannot stop there. You cannot have the man on one side of the hedge who has agreed with his landlord and the man on the other whose landlord will not agree with him. The time of compulsion had obviously got to come and the Member for Dover admitted it, I am sure. The only thing was that he thought he could go along—and he was quite justified—for a good long time without having to fall back upon it. Having regard to the state of things in the West of Ireland, the one part of Ireland that most needs the operation of these land purchase schemes, we are convinced that the time has now come to employ compulsion in certain cases The noble Lord who spoke of that, who has not before, I think, spoken in our debates and whom I was very glad to listen to, was very anxious to know what price the landlords would get. He seemed to think they would get less than was their due. If they ever do, it will be the first time in their history. It will not be denied that under the voluntary system the landlords have received full measure, and I never heard of a landlord any where whose land was compulsorily taken from him faring worse than one whose land was got from him voluntarily. I hope the landlords will not fare badly under compulsion, and I see no reason why they should. Of course every Court you suggest in Ireland will be at once accused and criticised in a barbaric and almost a savage manner, but it ought not to be beyond the wit of man to devise a Court which will fix the price of land as fairly as in England, Scotland, or any other part of the world. That you will fix it to the satisfaction of all parties is a dream. There is no such thing as the absolute in connection with the value of land. It has only the value people assume for it or attribute to it. But to say you cannot have compulsory purchase in Ireland is contrary to all reasonable belief. You have it under various Acts already, and to say you cannot do it now is putting too great a strain on the credulity of business men. I therefore maintain that we were bound to bring in this Bill. We are told, and these are my last words, that it will do nothing to relieve the block. There is a great block and nobody, so far as I have heard, has suggested any mode of settling it by a stroke of the pen. No one has brought any great scheme whereby £60,000,000 or £70,000,000 could be obtained at once. Nobody has told me how, if I got this amount, I could pass it through the Land Commission Court. There has not been any real criticism of my "two imperatives," as I called them, the capacity of the market to swallow the stock and of the Land Commission to get business done. As to that there has been no criticism at all. We are told we could get the money by short bills. We have taken power to issue short bills. Someone said that was a mere incidental business. It is no more incidental than any other part of the measure. The Treasury is empowered to arrange, by means of short bills if it can do that. We have invested the Treasury with the amplest powers we could give them, to get this money as quickly as possible. I am doing my best and I shall continue to do my best to increase the output of the Land Commission. I am already at work upon it. The right hon. Gentleman opposite (Mr. Campbell), I can see by the expression on his face thinks it will be of no use. Everything connected with that Court is worthless in his eyes. But it is the only Court I have got and I am dealing with men he and his Government appointed and with a Judge in whom everybody in Ireland has confidence.

MR. JAMES CAMPBELL: Hear, hear.

*MR. BIRRELL: I am glad to know there is one honest man in the Land Commission. Our object, as I say, is to increase the Land Commissioners' output. We offer stock at 92. There has been little criticism upon that. I should certainly have thought there would have been more criticism upon that point. We are quite ready to consider it in a business spirit. Our desire is to get rid of this block as quickly as we can. Do you think I take any pleasure in this block? I would dissipate it all to-morrow if possible. We are doing our best. We offer the landlords stock at a particular price. That stock would cost the Treasury a good deal of money. Taking it at 92 means that we shall have to issue more than £8 excess stock for every £100 cash. Surely that ought not to be thrown back in our faces. Our contribution of £8 15s. upon every £100 which is disposed of by taking stock at 92 should count for something on transactions which will amount to between £80,000,000 and £90,000,000 sterling, less the amount for which the Ireland Development Grant provides the loss. We shall try to get rid of the block as quickly as we can, and shall avail ourselves of every opportunity in the market. But we cannot destroy British credit; that has got to be maintained by every Government who is responsible for the business of the nation. We therefore cannot go rushing into the market with wild-goose proposals which might have the effect of reducing Consols and every Government security down to a point which one does not like to contemplate. We have to preserve a business attitude in these things. We have done that, and at the same time have shown in the most striking manner our desire to prevent land purchase from breaking down. It is not breaking down, and it is only because the block is so great that attention has been called to this matter. I am sorry for the landlords and the tenants, and I would desire that the whole thing should be done as quickly as possible, but I defy anyone in his senses to propose anything to get rid of the block more rapidly than we have been doing. However much this measure may be criticised it will be found well worthy of the consideration of this House and of all persons deeply interested in the welfare of Ireland, and His Majesty's Ministers have no reason whatever for forsaking or neglecting this Bill. If we are fortunate enough to get the Second Reading to-night we shall certainly next session proceed with the Bill as rapidly as we possibly can. I cannot give positive pledges. It is not my business to give positive pledges, but I think by this time Ireland knows I do my best in these matters. At the earliest possible moment next session we shall proceed to the Committee stage, where the Bill will receive, I cannot help thinking, after there has been time to consider it, some more friendly reception than it has got to-night. But whatever that reception may be we shall pursue it to the best of our ability.

Question put.

The House divided :—Ayes, 233 ; Noes, 62. (Division List No. 436.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Ambrose, Robert
Armitage, R.
Ashton, Thomas Gair
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barry, E. (Cork, S.)
Beale, W. P.
Beck, A. Cecil
Benn, W. (T'w'r Hamlets, S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brooke, Stopford
Brunner, J. F. L. (Lancs, Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Crean, Eugene
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co.
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Delany, William
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duckworth, Sir James
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Esslemont, George Birnie
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Gurdon, Rt Hn. Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Hayden, John Patrick
Hazel, Dr. A. E.
Hazelton, Richard
Hemmerde, Edward George
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holt, Richard Durning
Hooper, A. G.
Horniman, Emslie John
Hutton, Alfred Eddison
Illingworth, Percy H.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, William (Carnarvonshire
Joyce, Michael
Kavanagh, Walter M.
Kearley, Sir Hudson E.
Kennedy, Vincent Paul
Kettle, Thomas Michael
Kilbride, Denis
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St. Pancras, E.
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lundon, W.
Macdonald, J. R. (Leicester)
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kean, John
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Meagher, Michael
Meehan, Francis E. (Leitrim, N.)
Meehan, Patrick A. (Queen's Co.)
Micklem, Nathaniel
Middlebrook, William
Mond, A.
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Muldoon, John
Murnaghan, George
Murphy, John (Kerry, East)
Murray, Capt. Hn A. C (Kincard.)
Nannetti, Joseph P.
Nicholls, George
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Grady, J.
O'Kelly, James (Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.

O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Phillips, John (Longford, S.)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Reddy, M.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards,T. F. (Wolverh'mpt'n
Robertson,SirG.Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roche, John (Galway, East)
Rogers, F. E. Newman
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sheehy, David
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stanley,Hn.A.Lyulph (Chesh.)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thorne,G. R.(Wolverhampton)
Trevelyan, Charles Philips
Verney, F. W.
Walton, Joseph
Waring, Walter
Watt, Henry A.
Whitbread, Howard
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Sir Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, John Henry (Halifax)
Wiles, Thomas
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Balcarres, Lord
Balfour,RtHn.A.J.(City Lond.)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry,N.)
Bridgeman, W. Clive
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone,E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig,Charles Curtis(Antrim,S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gordon, J.
Goulding, Edward Alfred
Gretton, John
Guinness,Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Hardy,Laurence (Kent,Ashford
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hunt, Rowland
Kerry, Earl of
Keswick, William
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lockwood,Rt.Hn. Lt.-Col.A.R.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Morrison-Bell, Captain
Nield, Herbert
Percy, Earl
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson,John Frederick Peel
Renton, Leslie
Ronaldshay, Earl of
Smith, Abel H. (Hertford,East)
Tennant,Sir Edward(Salisbury)
Thompson,W.Mitchell-(Lanark
Wilson, A. Stanley (York,E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt.Hon. C. B. Stuart-

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Main Question put and agreed to.

Bill read a second time.

Bill committed to a Committee of the whole House for this day.—(*Mr. Birrell.*)

BUXTON CHARITY BILL.

Considered in Committee.

(In the Committee.)

Committee report Progress; to sit again this day.

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at a quarter before One o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 9th December, 1908.

PETITION.

EDUCATION (SCOTLAND) BILL.

Petition for amendment of; of the Dunfermline Protestant Defence Association; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

MISCELLANEOUS, No. 9 (1908) (NATIONALITY AND NATURALISATION).

Despatch from His Majesty's Chargé d'Affaires at Rio de Janeiro inclosing a translation of decrees regulating the naturalisation of aliens in Brazil. (In continuation of Parliamentary Paper, "Miscellaneous," No. 1. (1903)).

FAIR WAGES.

Report of the Fair Wages Committee, with appendices and minutes of evidence.

JUDICIAL STATISTICS (ENGLAND AND WALES), 1907; (PART II.; CIVIL STATISTICS.)

Statistics relating to the Judicial Committee of the Privy Council, the House of Lords, the Supreme Court of Judicature, County Courts, and other Civil Courts, edited by Sir John Macdonell, C.B., LL.D., a Master of the Supreme Court.

Presented (by Command), and ordered to lie on the Table.

CENSUS OF PRODUCTION ACT, 1906.

Rules made by the Board of Trade, CXCV.—CCII.

INCEST BILL.

Amendments reported (according to order). Then Standing Order No. XXXIX., considered (according to order), and dispensed with. Bill read 3^a with the Amendments, and passed, and returned to the Commons.

RICHMOND ALLOTMENTS.

*LORD REAY: My Lords, seeing the noble Earl the President of the Board of Agriculture in his place, I wish to ask him a Question of which I have given him private notice—namely, whether his attention has been called to the statement that the Richmond Town Council have received from the Department of Woods and Forests a month's notice to quit part of the allotment ground rented from the Crown to the Corporation, and whether, in view of the keen demand for allotments in Richmond and the difficulty of obtaining land for the purpose, he will ask the Commissioners to withdraw the notice to quit or to provide other suitable land in place of that taken away.

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, in answer to the noble Lord I have to say that the land to which he refers is not under my authority. I am, therefore, unable to give any particulars at present, but I am making inquiries. My colleague will receive a deputation from the Richmond Corporation on the subject.

BUSINESS OF THE HOUSE.

*THE MARQUESS OF LANSDOWNE: My Lords, I beg to ask the noble Earl who leads the House a Question of which I have given him private notice—namely, whether he is able to give your Lordships any information as to the course of business in this House during the next few days.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, I am very much obliged to the noble Marquess for having given me notice of this Question. I am not able to give him an absolutely precise answer, but I think I can give some general information which will be of service to the House. As noble Lords know, the Education (Scotland) Bill is down for Committee to-day, and the Second Reading of the Prevention of Crime Bill is down for to-morrow. That Bill has come up, I think, in a somewhat less controversial form than seemed at one time possible. I do not think, therefore, that it will occupy a very great part of the time of your Lordships. The two remaining Bills of importance which we shall ask the House to consider are the Mines (Eight Hours) Bill and the Port of London Bill. On Monday next my noble friend Lord Morley is to make his statement with regard to Indian Policy, and although I cannot say for certain—I may be in a position to do so to-morrow—I think it is possible that in view of that debate not being likely to occupy any very great period of time, it may be well to put some other business down for that day. Speaking generally, next week will be devoted, if your Lordships please, to the alternate consideration of the two measures I have indicated. There will be no doubt one or two other small Bills coming up from another place, but I do not think anything of a controversial character. I should hope, therefore, that Parliament may be prorogued somewhat earlier than at one time appeared to be likely.

LORD NEWTON: I should be much obliged if the noble Earl would give me an assurance that the Mines (Eight Hours) Bill will not be taken next Monday.

*THE EARL OF CREWE: If the House agree, I think it would be a reasonable course to take that Bill on Tuesday.

LORD NEWTON: I should be very grateful to the noble Earl if he would be good enough to take it on Tuesday. But I would point out that there is some danger of his rather optimistic estimate not being fulfilled. Assuming that Amendments are carried to those two Bills, how will it be possible to prorogue on Friday week?

THE EARL OF CREWE: I never mentioned the date of Friday week.

LORD AVEBURY: The Port of London Bill is a very controversial measure, and there are great differences of opinion about it. We shall not have had time really to consider it by Monday, and I hope, therefore, it will not be taken on that day.

———

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Order of the Day for the Third Reading read.

The Earl of Crewe.

Moved, "That the Bill be now read 3ª."—(*The Earl of Donoughmore.*)

On Question, Bill read 3ª.

Drafting Amendments agreed to.

Moved, "That the Bill do now pass."—(*The Earl of Donoughmore.*)

THE EARL OF CAMPERDOWN: My Lords, I beg to move the omission of the word "now" in order to insert at the end of the Motion the words "this day three months." About the genesis of of this Bill we know very little. It was, I believe, promoted in the other House by some private Members. What examination it received in the House of Commons I do not know, but the noble Earl, in introducing it to your Lordships' House, said he believed it was an agreed Bill, or nearly so. But almost every provision in the Bill was taken exception to. It enacted, in the first place, that accommodation must be provided for the Press; in the second place, it provided that if members of the Press felt themselves dissatisfied with the accommodation they might apply to the Local Government Board, who were to settle the question; and, in the third place, there was a proposed enactment that, on the application of any newspaper, notice of every meeting was to be sent to the office of that newspaper by the county clerk or other official. Those were, I think, nearly all the enactments in the Bill. Those enactments have all been struck out, and all that remains is the provision that the Press is to have a right of being present at the meetings of local authorities. We do not know that there is any necessity for this measure. No practical grievance has been alleged. I have been told by more than one member of the Press that the Press do not require the Bill. Why in the world we should cumber the Statute-book with surplusage of this sort I am at a loss to understand. For those reasons, and for those reasons only, I am very sorry to be obliged to oppose the Bill. Even my regard for the noble Earl in charge of it will not make me willingly consent to the placing of what I consider surplusage on the Statute-book.

Amendment moved—

"To leave out the word 'now' in order to insert the words 'this day three months.'"—(*The Earl of Camperdown.*)

*LORD FABER: My Lords, this is a Bill to give right of entry to the Press as regards the meetings of local authorities. There seems to be a fear in your Lordships' House that the provision of accommodation for the Press to these meetings will lead to large expenditure. I do not share that fear, and for this reason. The public generally do not care to read reports of the meetings of county councils, parish councils, and similar local authorities, and, that being the case, newspapers do not send reporters to those meetings. Consequently, there will not be that rush to attend the meetings of local authorities which some noble Lords appear to be afraid of. I do not think there would be much change in the attitude of the public with regard to this question. But, if I am wrong in thinking that the public do not desire to read these reports, is it not right that a ratepayer who wishes to know what is going on in his own parish council should be able to find out from the local paper? Will he not be a better citizen for the interest he takes in the administration of the rates by his local authority? At present, as I understand it, if a man wishes to know what has been taking place at the meeting of his parish council he has to ask his parish councillor, and although I desire to speak with the greatest respect of such an august personage as a parish councillor, yet I am inclined to think that he is, perhaps, more a disseminator of gossip than a purveyor of accurate news. This Bill passed through the other House supported by both parties, and it received no opposition from the county councils or local authorities generally. By this Bill the Radical and Conservative Press are placed on exactly the same footing. That, perhaps, is a thing to be desired in view of the decision early in the year in the case of the *Tenby Corporation* v. *Mason*. The judgment in that case laid it down that a local authority had power, not only to exclude all the members of the Press, but to exclude certain Pressmen and allow others to remain. Your Lordships will not think that a fair state of the law. It is surely better that the Press of both parties should be placed on the same footing. I am given to understand that the Press desire this little Bill, and it does not seem to me to be contentious in any way. It is quite true that some of us are rather cross at times with the local Press, but that is because they report what we do say and not what we thought we ought to have said. I do not think there is anything quite so gruesome as reading in the morning one's rhetorical efforts of the night before. I trust that, in view of the fact that this was an unopposed Bill in the House of Commons, and that all the important Amendments moved in your Lordship's House have been accepted, the Bill will now be allowed to pass.

LORD COURTNEY OF PENWITH: My Lords, when we were in Committee on this Bill I proposed an Amendment which did not meet with acceptance on the part of your Lordships. From that action on my part I may be supposed to be in favour of the Bill, and, indeed, at that time I regarded it as a matter of comparative indifference whether it was passed or not. But I confess that the more I have reflected on this Bill the less case there appears to me to be for it, and the more reasons why your Lordships should not assist in passing the Bill into law. I do not, of course, object in the slightest degree to the Press attending the meetings of local authorities and giving the fullest publicity to what takes place there, but I think that Parliament would be wise in not interfering in this matter with the discretion of the local authorities. As far as I know, there has been no substantial ground for thinking that there has been unfairness on the part of any local authorities. These bodies are responsible to their electors, and if any number of them combined to do that which was objectionable the electors would have an opportunity at the next election of giving expression to their wishes and signifying their desire that the Press should be admitted. I believe there is no real ground for anxiety on the part of the Press with regard to admission to the meetings of these authorities, and there is, I think, substantial reason why Parliament should not interfere with the comparative independence of local authorities in framing by-laws for themselves as to the conduct of their own meetings. Consider to what length the supporters of this Bill really desired to go. In order to allow the Press security to attend they wanted to have notice given to the Press of all meetings of the local authorities, and to provide that a certain period must elapse before the meeting could take place. Surely that was strictly irrelevant to the purpose of this Bill, and was an interference with the freedom of the local authorities in the conduct of their business. I ask your Lordships to consider this question for a moment in respect of your own practice and the practice in another place. The admission of the Press to hear debates in Parliament may be said to be vital to the work of Parliament generally, although that admission has been only gradually established, and even within my own memory the Press have been excluded from the other House on the initiative of a single member. Would your Lordships for a moment dream of prescribing rules of procedure under which your meetings should be held, and agree to a statute regulating the admission of the Press to the Reporters' Gallery of this House? The matter is left to the discretion of this House and the other House of Parliament, and why the same discretion should not be given in the case of local authorities I am at a loss to conceive. We have passed the days of Dr. Johnson, one of the first reporters of the Parliamentary debates, who carried away as much as his memory would allow, and who admitted that he always gave the "Whig dogs" the worst of the argument. We have passed all that, and we now recognise that the attendance of the Press is essential, and every reasonable accommodation is provided for them. Your Lordships would never think of laying down rules on the subject, still less of agreeing to an Act which should override your own management of your own affairs; and I think it would be only respectful to local authorities to allow them the same liberty. Therefore, if the noble Earl who has moved the Amendment goes to a division, I shall follow him into the lobby.

LORD BELPER: My Lords, as I was responsible during the Committee proceedings on this Bill for moving three or four Amendments on behalf of the County Councils Association, I should like to say a few words before we go to a division. In the first place, let me remind the House that the Bill as it came up, although it had been spoken of as if it had met with very general support in the other House, certainly contained provisions which were very objectionable and extremely badly drafted. But my noble friend in charge of the Bill accepted every substantial Amendment that was moved both in the Committee stage and on Report, and as the Bill now stands, although it does lay down as a rule that reporters and the public should be admitted to the meetings of these authorities, yet it only in that respect puts into an Act of Parliament what is the universal practice, at all events on the part of the important local authorities. I am quite aware that, in these circumstances, the Bill might be said to be unnecessary. The County Councils Association have never taken exception to the principle of the Bill, and considering that it was not opposed on Second Reading and that all the Amendments suggested have been accepted, I think it would be a very unusual proceeding to throw out the Bill at this stage now that it has been divested of all objectionable clauses. I had some difficulty in following the argument of the noble Lord opposite, Lord Courtney. Although he defends what I should always wish to defend, the giving of full discretion to county councils and other bodies, yet one of his arguments was that it would be very inconvenient for notice to have to be sent of all meetings together with an agenda of the business to be taken. The noble Lord does not seem to have mastered the fact that that clause has been struck out of the Bill, and that there is now no suggestion of anything of the sort. I may go further. With regard to the principal authorities the procedure of giving notice is already dealt with under statute, and the clause that was in this Bill only referred to the minor authorities who might call meetings without giving any notice. In these circumstances I regret that my noble friend is going, at this late stage of the Bill, to try and reject it, especially in view of the fact that we have been courteously met by the noble Earl in charge of the Bill and that he has accepted all our Amendments.

THE DUKE OF NORTHUMBERLAND: My Lords, I trust that the doctrine which my noble friend Lord Belper has laid down will not be held good in this House. His doctrine, as I understand it, is this, that after we have read a Bill a second time we are not to reject it at the final stage if the Amendments we have moved in Committee have been accepted. The argument is very often used that we ought to see what we can do with a Bill in Committee, whether we can make it workable, and not reject it on Second Reading. But even though we may find that our Amendments are accepted we ought to reserve to ourselves the right to reject a Bill on Third Reading. The consequence of the opposite doctrine laid down by the noble Lord will be that we shall have to reject a lot of Bills on Second Reading for fear we should find in Committee that we could not alter——

LORD BELPER: I beg the noble Duke's pardon. I laid down no doctrine. What I said was that the Bill had not been opposed on Second Reading, and that all the important Amendments moved to it having been accepted it should not be rejected on Third Reading.

THE DUKE OF NORTHUMBERLAND: I apologise for using the word "doctrine"; I will substitute the word "appeal." I do not think the appeal of the noble Lord is a convincing one. I want to know what is the argument in favour of giving the Press a statutory provision which they have never yet assumed. As I understand, it is that the public may be accurately informed of what is going on in these local bodies. I cannot conceive any other object. Now, what is the value of the information which the public gets in respect of these meetings from the Press? I happen, since the former stages of this Bill, to have had personal experience of the way in which the matter acts. At the last meeting of the county council over which I had the honour to preside, a member of the council made an attack upon the chairman of one of the committees, and proceeded to read out from a newspaper a report of a speech which the committee chairman had made at a former meeting of the county council, for the purpose of showing that the chairman had been inconsistent. I at once called the attention of the council to the matter, and said I doubted very much whether it was in order to read a report of this kind, because there was no guarantee that it was a correct report, and we had not seen the newspaper to which the member was referring. Upon this the chairman of the committee who was attacked said he could end the matter at once because he had seen the report. It was, he said, absolutely incorrect and totally misrepresented what he said. That, my Lords, is a practical instance of the value of admitting the Press to the meetings of local authorities. I will say no more, except that I trust my noble friend will take a division, and, if he does, I shall certainly support his Amendment.

EARL RUSSELL: My Lords, the principle of this Bill was not opposed on Second Reading, and I think the House must universally recognise that the noble Earl in charge of it did everything he possibly could in Committee to meet the objections taken. In those circumstances, what is there left in the Bill to which the noble Earl objects? There is left a statutory right to the Press to attend the meetings of local authorities. Probably in the case of county councils that right will not be of such great importance, because the Press are now allowed to attend the meetings of those bodies. But your Lordships must, I think, have fresh in your memories the scandals which have recently arisen in connection with the expenditure of public money by the smaller bodies. It must be borne in mind that what gave rise to this Bill was the claim of the local authority of Tenby to select the particular reporter who should attend their meetings and to say to another particular reporter that he should not attend. If a local authority had the absolute power of dictating who should be the only channel of intercouse between them and the public, and if they had a body the majority of which was corrupt and in which corruption was a regular, constant, and understood part of the proceedings—and we have seen some of the smaller bodies in which these things have been—it is only a step further to secure the attendance of a corrupt reporter. It is to remove objections of that sort that it is desired to provide for the admission of the independent Press, and I think it would be rather unusual at this stage to reject a Bill the principle of which has not been seriously attacked.

THE EARL OF DONOUGHMORE: My Lords, I feel that I need add very little to what has been said. In fact, it would be impossible to do so without incurring the danger of repetition. But I think I may congratulate myself on the distinguished convert I have made below the gangway. Lord Belper was good enough to say that I had done my best to meet him and other critics in Committee, and I can only say that I am gratified that I should have been able to do so so successfully. I am only sorry that I have not made another convert below the gangway. The noble Earl, Lord Camperdown, has objected to this Bill—shall I say?—from the first minute that he set eyes upon it; but, curiously enough, he did not happen to see it until it was too late for him to give notice of rejection on Second Reading. The noble Earl himself moved Amendments which were, I hope, designed to improve the Bill, and I can only regret, having done my best by accepting his Amendments to placate him, that the more his appetite has been fed the greater it has become. We now find him moving the rejection of the Bill at its final stage. The noble Earl claimed there was no necessity for this Bill. Your Lordships will excuse my not going into that point at any length after the reference to the Tenby case by the noble and learned Lord who has just sat down. That case was a very great surprise to many laymen, and it was with the object of reversing the decision there given, which I have no doubt was perfectly correct in law, that those for whom I am acting promoted this Bill. Next, the noble Earl referred to the opinion of the Press regarding this Bill, and I regret he did not go into that point in greater detail. He told us that several Pressmen had informed him that they did not like the Bill. I am advised that there is only one newspaper in the whole of this kingdom of any importance that has objected to the Bill. It is one of the prominent London evening papers, and a paper which probably knows less about the subject than any other, for the reason that this grievance is very much more a provincial grievance than a London grievance. But I might mention, as an answer to that, that I have the names here of about a dozen of the most prominent newspapers, all of whom have expressed their approval of the Bill. They are the *Newspaper Owner*, the *Birmingham Post*, the *Sheffield Daily Telegraph*, the *Western Daily Mercury*, the *Northern Echo*, the *Manchester Evening Chronicle*, the *Glasgow Herald*, and so on. The Bill is supported by important newspapers spread over different parts of the country. It is promoted by the National Union of Journalists, a young body, but a body which represents about 1,500 working journalists. I admit that it is not supported by the Institute of Journalists, of which the noble Lord opposite is a distinguished member. The Institute of Journalists is, of course, the senior, and, I do not deny, the most important association of journalists that exists; but I believe the reason they would not support the Bill was that they had a Bill of their own dealing with the point in a slightly different manner. I am, however, authorised by the honorary secretary of the Institute of Journalists to say that the Institute have not inspired or in any way had anything to do with the opposition to the Bill this afternoon on its final stage. I think it would be a great pity if the Bill were rejected now owing to the opportunity that would be thus given to local authorities, if they desired to do so, to conduct their proceedings behind closed doors and without the light of public opinion being shed upon them. The cases of West Ham, Poplar, and one or two others have really scandalised public opinion throughout the country. I do not suggest for one moment that these cases are typical of English local government, but, if such cases exist, those will be the sort of authorities which will avail themselves of the power to sit *in camera*, and the task of finding out the existence of such cases will be made more difficult than if the Bill were allowed to pass. I submit that a case has been made out for the Bill, and I trust your Lordships will pass it.

*LORD ALLENDALE: My Lords, it hardly seems necessary for me to say anything after the exhaustive debate which has taken place to-day. I may, however, observe that, although His Majesty's Government were not originally responsible for the introduction of this Bill, they have supported it in all its stages in both Houses. The Bill was introduced at the instance of the National Union of Journalists in consequence of a certain legal decision. I submit that the principle of the Bill has been already accepted by your Lordships' House, and that as almost all the Amendments of serious substance have been so well met, it would be very unreasonable if the Bill were not now passed. On the Second Reading the Bill had the advantage of receiving the support of the noble Viscount opposite, Lord St. Aldwyn, who concurred in the object of the Bill in view of the decision in the case of the *Tenby Corporation* v. *Mason*. The noble Duke opposite has referred to certain inaccuracies in the reports of proceedings of local authorities. I am afraid it would be very difficult to provide that there should never be inaccuracies in the reports of local authorities, or, indeed, of more important bodies, or even of Parliament itself. The only way of dealing with that question would be, I suppose, by the appointment of a Press censor whose duty it would be to revise the reports, but I think the noble Duke would hardly propose that such an appointment be made. I trust that, the Bill having gone so far, your Lordships will allow it to pass.

*THE MARQUESS OF LANSDOWNE: My Lords, I always think the House owes a debt of gratitude to my noble friend Lord Camperdown for the vigilance with which he watches over these minor measures, which sometimes do not receive quite the amount of attention which they deserve; but upon this occasion I am almost inclined to suggest that he has pushed his watchfulness too far. I do not mean to say that I regard this Bill as an important measure. Indeed, I am not sure that if I were asked whether it was desirable to introduce such a measure at all I should answer in the affirmative; but the measure has been introduced. After all, what does it do? It merely affirms this, that the Press has the right to be admitted to meetings of certain of our local authorities, to which is added the very important reservation that those authorities have the right, on certain occasions and for sufficient reasons, to exclude the Press. That is not really a very serious or very dangerous proposal, and it is not an innovation, because it really is a proposal which brings the law into conformity with the actual practice at present followed. This Bill has been a good deal discussed; it has met with a very large amount of support, and I have received a communication from the National Union of Journalists very strongly urging your Lordships not to reject it at the last moment. We have to remember that in the House of Commons its principle was scarcely disputed, that it passed scathless through Standing Committee and through Report stage, and that on Third Reading not a voice was raised against it. When the Bill came up to us criticisms were made and Amendments proposed which were accepted in a very reasonable spirit by the noble Earl in charge of the Bill. We have also to-night had what seemed to my mind a very important piece of testimony from my noble friend the chairman of the County Councils Association. I think the opinion of great associations like the County Councils Association, the Municipal Corporations Association, and the Poor Law Unions Association, is entitled to respect, and not one of those great bodies, so far as I am aware, has raised any objection to this Bill. For these reasons I must say I think it would only be for some very special or urgent cause that your Lordships would be justified in rejecting the Bill at the very last stage. Therefore, much as I regret to differ from my noble friend below the gangway, I shall vote against him if he goes to a division.

On Question, Amendment negatived.

Bill passed, and returned to the Commons.

EDUCATION (SCOTLAND) BILL.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Lord Herschell.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 and 2 agreed to.

Clause 3:

LORD SALTOUN moved to amend subsection (2), which deals with the provision of "accommodation, apparatus, equipment, and service for the preparation and supply of meals to pupils attending schools within the district," by omitting the words "and service."

Amendment moved—

"In page 1, lines 21 and 22, to leave out the words 'and service.'"—(*Lord Saltoun.*)

LORD HERSCHELL said the effect of the Amendment, as he understood it, would be to debar the school board from paying the wages of an attendant or cleaner, for instance, who helped in the preparation of the meal and in serving out the food. It seemed simpler that the preparation of the food and the supply of the meal should be regarded rather as a whole, and that there should be no artificial separation between one part of the expense involved and the other. It would be difficult to carry out in practice, and he could not see that it would effect any very great saving in expense. The services of the children themselves would be utilised as far as possible, as indeed they generally were at present, both in the preparation and in the service of the meal; but there would, of course, be need for the superintendence of a grown-up person to see that there was no waste. He understood that, in addition to the voluntary contributions, the school boards did in the present instance contribute a certain amount, although it was difficult to ascertain exactly the proportion. The effect of the clause was merely to remove a doubt as to the legality of an expenditure which was already incurred by many school boards in rural districts. He hoped, therefore, the noble Lord would not press the Amendment.

Amendment, by leave, withdrawn.

THE DUKE OF NORFOLK moved the insertion of a proviso to the effect that in the exercise of their powers under subsection (2), a school board should not give any undue preference to pupils attending schools under their control over pupils attending State-aided schools within their district. The clause was, he said, a permissive one, and the object of the Amendment was to ensure that the local authority should deal equally with the various classes of schools, and should not refuse to one class of schools advantages which they conferred on another. The Amendment was in accordance with the spirit of the Bill, and he hoped the Government would be able to accept it.

Amendment moved—

"In page 1, line 26, after the word 'provided' to insert the words 'Provided also that in the exercise of their powers under this subsection, a school board shall not give any undue preference to pupils attending schools under their control over pupils attending State-aided schools within their district.'"—(*The Duke of Norfolk.*)

LORD HERSCHELL said that to accept this Amendment would infringe the principle of the provision and would have the effect of compelling a school board, if they set up an apparatus to provide meals, on payment, for children attending their own schools, to do precisely the same for any voluntary school in the district. To do that was impracticable. He could not see that any hardship would result from the provision as it stood in the Bill, for if there were necessitous children attending a voluntary school for whom food was required, that would be covered under Clause 6 quite irrespective of the school the children were attending.

Amendment, by leave, withdrawn.

LORD SALTOUN moved to amend subsection (3)—

"(3) In bringing opportunities for education within easier reach of children in outlying parts of their district, whether by providing means of conveyance, or paying travelling expenses for teachers or pupils to and from their homes, or defraying the cost of lodging pupils in convenient proximity to a school . . ."

by inserting, after the word "district" the words "distant not less than three miles from a school."

Amendment moved—

"In page 2, line 2, after the word 'district,' to insert the words 'distant not less than three miles from a school.'"—(*Lord Saltoun.*)

LORD HERSCHELL feared that this Amendment would prove unworkable. It would be extremely difficult to lay down a provision that a conveyance should be afforded to children who inhabited a part of the district three miles from the school, and that this conveyance should not be allowed to take up any children whom it might pass on the way between that limit and the school. He thought the matter was one which might quite safely be left to the discretion of the local authority. One rather important point was that there were many districts with a scattered population where a school board was virtually obliged to maintain several small and relatively inefficient schools, but if they were given a power of providing conveyances, without restriction as to distance, they might be able by this means to bring children to one central school, with the result that not only could that school be made more efficient in its working, but also, to some extent, expense would be saved. Of course, any improper use which might be made of the conveyance would at once be put a stop to by the Department on representation being made to them.

Amendment, by leave, withdrawn.

THE DUKE OF NORFOLK moved to insert, at the end of subsection (3), a similar proviso to that which he had moved to subsection (2) but withdrawn. He hoped the Government would be prepared to consider this Amendment in a more friendly spirit.

Amendment moved—

"In page 2, line 9, after the word 'otherwise,' to insert the words 'Provided that in the exercise of their powers under this subsection, a school board shall not give any undue preference to pupils attending schools under their control over pupils attending State-aided schools within their district."—(*The Duke of Norfolk.*)

LORD BALFOUR OF BURLEIGH appealed to the Government to accept this Amendment on the ground of their argument for refusing to accept the last Amendment. The noble Lord had said that it would be absurd that a conveyance afforded to children living three or four miles away should not take up a child living nearer the school. Take the corresponding case. Supposing a conveyance went to fetch children going to a board school, and close by were children going to, say, a Roman Catholic school, surely it would be unreasonable that those children should not be allowed the benefit of the conveyance. He did not think the Amendment would make any real difference, but it would put on the face of the Bill an instruction to the school board that they ought to consider such a case.

LORD HERSCHELL said that subsection (3) did not define children attending any particular schools, but applied to all children.

THE DUKE OF NORFOLK: You mean that the subsection does already contain this provision?

LORD HERSCHELL: Subsection (3) applies to all children.

*THE EARL OF CREWE: I am not very well acquainted with this matter, but it seems to me that the difference between the noble Duke's Amendment and the subsection as it stands is that there would be a compulsion upon the local authority not to give any preference to the children in the schools under their control, whereas, as the Bill stands, I imagine a preference would be given, but that, where possible, the authority would be in a position to take the other children. I think there is a difference.

THE EARL OF CAMPERDOWN thought the Amendment a perfectly fair one. It was quite clear that under subsection (3) as it stood a preference might be shown.

LORD STANLEY OF ALDERLEY said the provision in the subsection did not prohibit a school board from using its discretion; but, if the Amendment were adopted, it would be obligatory upon the board not to give any preference to pupils attending schools under their control.

LORD HERSCHELL asked the noble Duke whether, in the circumstances, he would be prepared to let the matter stand over for further consideration on Report.

THE DUKE OF NORFOLK: Certainly.

Amendment, by leave, withdrawn.

Clause 3 agreed to.

Clause 4:

THE EARL OF CAMPERDOWN said this clause was almost certain to impose a very serious charge on the ratepayers. It provided that a school board might, and where required by the Department should, provide for the medical examination and supervision of the pupils attending schools within their district to such extent, and subject to such requirements, as might from time to time be prescribed by any code or minute of the Department. Therefore, by this clause they placed themselves entirely in the hands of the Department. He was more inclined to call their Lordships' attention to this clause because, in regard to the corresponding clause for England the other day, Lord Belper directed attention to the very great powers taken with regard to the amount of medical supervision which might be required. Lord Belper asked on that occasion, and he (Lord Camperdown) asked now, whether there was any intention on the part of the Treasury to contribute to this new charge upon the rates, the extent of which it was impossible to foresee.

LORD BALFOUR OF BURLEIGH inquired whether there was any difference between "code" and "minute." As he understood it, a code meant the Education Code which was laid each year on the Table of both Houses of Parliament. To that, of course, either House could object if it contained improper provisions. But if a minute of the Department was simply intended, it would not come before Parliament. If that was so, he was bound to say there was some force in the contention of Lord Camperdown. The Department, he was sure, was not at all likely to be unreasonable, but perhaps everybody did not have such complete confidence in it as he had.

LORD STANLEY OF ALDERLEY said that, by subsection (7) of the previous clause, it was provided that no such minute should come into force until it had lain for not less than one month upon the Table of both Houses of Parliament. The omisssion of any such provision in Clause 4 would rather indicate that the minute there referred to would not be laid before Parliament.

LORD HERSCHELL said the Department would undertake to lay any minute on this subject before Parliament.

LORD BALFOUR OF BURLEIGH stated that his attention had just been called to the fact that in the statutory provisions dealing with the subject it was provided that no minute of the Scottish Education Department should be enforced until it had lain for not less than a month on the Table of both Houses of Parliament. Therefore, the provision in Clause 4 could not be put in force without Parliament having an opportunity of judging of its propriety.

LORD BELPER said that, this being so, Scotland was in a much more favourable position than England in this matter. They had complained that with regard to England Memoranda were frequently issued which imposed considerable charges on local authorities without Parliament having any cognisance of them beforehand, and he felt——

*THE EARL OF CREWE: I should be very unwilling to suggest that the noble Lord is out of order. I leave it to the noble Lord himself, as to whether he is in order.

LORD BELPER said he was only referring to the fact that Scotland was fortunate in having an Education Department which dealt with it in a more reasonable manner than was the case in England.

THE LORD CHAIRMAN: Is the noble Earl satisfied?

THE EARL OF CAMPERDOWN: No; I have had no answer.

*LORD REAY pointed out that in subsection (6) of Clause 17 there was a provision that where, under Section 4 of the Bill, a school board provide for the medical examination and supervision of the pupils attending schools within their district in accordance with a scheme prepared by the Committee or by the school board and in either case approved by the Department, there shall be paid in each year to the school board a sum equal to one-half of the cost incurred by them in making such provision. He thought that to a certain extent met the objections of his noble friend.

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE) said it was impossible, in the Committee stage of a Bill of this kind, for the Government to make a statement in regard to matters which next year, no doubt, would come before Parliament in the usual course. It was well known that in the Education Bill of this year there were proposals for increasing the grants, and the then Minister for Education, Mr. McKenna, stated that it was to be understood that one of the reasons why increased grants were being proposed was to meet the expenses of the Act of last year providing for medical inspection. Beyond that answer he did not think the Government could go that evening. Of course, what applied to England in that matter would also apply, under equivalent grants, to Scotland.

Clause 4 agreed to.

Clauses 5 to 7 agreed to.

Clause 8 :

LORD BALFOUR OF BURLEIGH said this clause made an important change in the law. It provided that Section 9 of the Education (Scotland) Act, 1883, should not longer have effect, and that in lieu thereof it should be enacted that—

> "If it appears to a school board that the parent of any child without reasonable excuse is neglecting to provide efficient education for his child in terms of this Act, or failing to secure the regular attendance of his child at some public or inspected school, it shall be lawful for the school board, after due warning to the parent, to summon such parent to appear, with or without the child, before the school board at any meeting thereof, and to require from him every information and explanation respecting such neglect or failure of duty ; and if he, or some person on his behalf, either does not appear or appears and does not satisfy the school board that he has not failed in such duty without reasonable excuse for such failure, it shall be lawful for the school board to order in writing that the child do attend some public or inspected school willing to receive him, and named in the order, being either such as the parent may select, or, if he does not select any, then such as the school board think expedient, and the child shall attend that school every time the school is open, or in such other regular manner as is specified in the order."

He moved to omit from the centre of this provision the words "or some person on his behalf." At present, if a school board had doubt about the attendance of any children under its jurisdiction, or desired to get a compulsory order for attendance, it had to go to the sheriff to have the child ordered to attend. That was a certain safeguard to the parents that an unreasonable order would not be made. But this clause changed the law, and gave power to the school board not only to summon the parent, but to be judge in what was practically its own cause. He did not know that he objected to that so much; because in one respect it was more merciful to the parent, inasmuch as it obviated attendance at Court, with its consequent delays. But was it intended by these words which he proposed to delete to indicate that there was to be a regular process, a sort of tribunal set up by the school board, with the employment of a lawyer to attend and explain the case ? If so, it would be introducing a new practice and one which he certainly could not support. On the other hand, it was possible that these words were only intended to imply that some friend might put in an appearance before the board on the parent's behalf. He did not think that would be very satisfactory. If there was to be only one attendance, the school board might reasonably hold their meeting in the evening, as many school boards did already, for the purpose of giving one of the parents of the child an opportunity of making a personal explanation. He did not think it would be satisfactory to have the explanation second-hand. It would be merely a hearsay statement, and would cause school boards really greater difficulty than if they held their meetings in the evening to enable parents to be present.

Amendment moved—

> "In page 5, line 11, to leave out the words "or some person on his behalf."—(*Lord Balfour of Burleigh.*)

LORD HERSCHELL said the object of the words proposed to be omitted was simply to avoid cases of unnecessary hardship—cases, for instance, where a labourer might have to forego half or even a whole day's wages in order to attend, when, as a matter of fact, some other person well qualified to do so could make the necessary explanation, which in many cases would be found satisfactory, to the school board. But it would be still entirely within the discretion of the board in any particular case to say that they were not satisfied with the second-hand information and to require the parent to appear personally on another occasion, or, in default, to have an attendance order pronounced against him. He hoped this explanation would be satisfactory to his noble friend.

Amendment, by leave, withdrawn.

Clause 8 agreed to.

Clause 9 :

LORD BALFOUR OF BURLEIGH moved to reduce the limit of age at which attendance at a school or continuation class may be required from sixteen to fifteen. This was, he said, the first of two classes of cases to which he adverted on Second Reading. The clause extended the age from fourteen to sixteen up to which pupils excused compulsory attendance could be obliged to continue attending evening classes. The present law was that at the age of twelve, after a certain standard had been passed, a school board might excuse attendance and impose attendance at an evening class for such period as might be still to run until the child arrived at the age of fourteen. He thought that entirely reasonable, because if the education was not kept up in some way or another the knowledge learned would not be assimilated but often lost. He thought that a limit of fifteen was as great a burden as should be imposed, having regard to the fact that it was presupposed that the child specially provided for was much cleverer than the average. It was only a child of good natural abilities and regular attendance at school who could pass the test necessary to get the exemption at twelve, and therefore it seemed to him that to put a compulsory burden upon such a child to continue up to the age of sixteen was excessive.

Amendment moved—

"In page 6, line 4, to leave out the word 'sixteen' and to insert the word 'fifteen."—(*Lord Balfour of Burleigh.*)

LORD HERSCHELL said that at present it was not within the power of school boards to require attendance at a continuation class beyond the age of fourteen, and one of the results of this was that most boards were very unwilling to grant exemptions at all, partly because they would lose grants thereby and partly because there was a strong feeling that the part time attendance for two winters which might be imposed was quite insufficient to make up for the loss to the child's education incurred through the interruption in its regular attendance at school. The object of the present clause was, really, to offer an inducement to school boards to grant exemption more readily in suitable cases, and it had been introduced very largely at the instance of bodies such as the chamber of agriculture and farmers associations, who had represented that there were many well grown and vigorous lads who might be allowed full exemption in order that they might acquire a taste for rural pursuits at a sufficiently early age. They had also expressed the view that if this exemption were granted they would see no objection to requiring part time attendance at school beyond fourteen for such time as might be thought necessary. The power of exemption rested with the school boards on the consideration of individual cases. Experience had shown that the boards were unwilling to grant exemptions freely if they had no power to secure attendance after fourteen, and it was doubtful whether an extension of the power to fifteen would effect any substantial change in their attitude. The original proposal of the Government was to extend the age to seventeen, and they somewhat reluctantly consented to sixteen as a compromise. They were not prepared to make any further concession in the matter, mainly for the reason that to do so would render the main object of the clause to a very great extent abortive. The age specified was, after all, the maximum age within which the board could prescribe conditions, and there was nothing to prevent a board accepting a lower age in any particular case. He regretted the Government did not see their way to accept the Amendment.

Amendment, by leave, withdrawn.

Clause 9 agreed to.

Clause 10 :

THE EARL OF CAMPERDOWN moved to leave out subsection (3). The subsection ran—

"(3) It shall be lawful for a school board from time to time to make, vary, and revoke byelaws for requiring the attendance at continuation classes until such age not exceeding seventeen years, as may be specified in the byelaws, of young persons above the age of fourteen years within their district who are not otherwise receiving a suitable education, or are not specially exempted by the school board from the operation of the byelaws; and that at such times and for such periods as may in such byelaws be specified. Such byelaws may also require all persons within the district having in regular employment any young person to whom such byelaws apply to notify the same to the board at times specified in the byelaws with particulars as to the hours during which the young person is employed by them: Provided that no young person shall be required to attend a continuation class held beyond two miles measured along the nearest road from the residence of such young person."

He believed that the noble Lord in charge of the Bill stated, on the Second Reading, that this provision came from Germany. He thought it worthy of Prince Bismarck in his very best days. His object in moving the omission of the subsection was to call attention to the very great advance which was being made therein in the direction of compulsion. In the event of a school board making a byelaw to compel young persons up to the age of seventeen years to attend continuation classes, it would be likely to lead to an extensive migration from the district. Those who wished to have this education were provided for under subsection (1), but this subsection empowered school boards to make byelaws requiring the compulsory attendance of young persons above the age of fourteen at continuation classes until they reached an age not exceeding seventeen years. He did not know whether he would persevere in his Amendment, because he was generally favourable to the Bill and did not wish to destroy any of its valuable provisions; but, at the same time, he thought it worth while to call attention to the character of this subsection.

Amendment moved—

"In page 7, lines 7 to 22, to leave out subsection (3)."—(*The Earl of Camperdown.*)

LORD HERSCHELL hoped the Amendment would not be pressed to a division. The real answer to the points raised was that, although power was given to a school board to make these compulsory regulations, it was obvious that such a power would in no possible instance be exercised by a school board unless it had a very strong measure of public support behind it. There was also no doubt as to the great advantages which might be obtained from this. In the first place, it would only enable education authorities to do generally, where they had the support of public opinion, what many large employers of labour in the country, including several of the railway companies, had been doing for their apprentices. The principal advantages of the system were, in the first place, that it was a certain guarantee that the sums spent upon the earlier education of the children should not be thrown away by cessation of instruction: secondly, it ensured a certain continuation of discipline: and, thirdly, —and perhaps this was the most important point in view of the decay of the apprenticeship system—it enabled systematic instruction relative to particular trades to be provided for young persons between 14 and 17, which would, to some extent, at all events, mitigate the result of the breakdown of the apprenticeship system, and counteract the tendency on the part of youths to enter employment which, though for the moment sufficiently remunerative to attract them, did not lead to any permanent employment in later years. In view of all these considerations, he hoped the noble Earl would see his way not to press the Amendment.

LORD BALFOUR OF BURLEIGH said he had called attention to this subsection on the Second Reading, and had intended putting down the Amendment which the noble Earl had on the Paper. What he then said was publicly reported, and he had received appeals from friends, who were certainly authorities in the education world, not to press the Amendment. But let them look at what it was they were asked to do. The noble Lord in charge of the Bill had made the best case he could. He had said the compulsory power would not be enforced until public opinion in the district wanted it. There were 972 school boards in Scotland. Was it really reasonable that Parliament should give to every one of those authorities the right to make a byelaw of this kind? And would it really result in any practical effect? Could they keep a lad of seventeen at school against his will? He believed they would do the greatest harm to the voluntary continuation schools if they drove into them a great number of reluctant lads and young women. At present it was not very easy to keep order in these institutions even when people attended voluntarily, but if people were driven in who did not desire to attend them matters would be reduced to positive chaos. He did not think it was of much moment whether they deleted this subsection or not, because his belief was that it would never be put in force. Therefore, if the noble Earl went to a division he would be bound to vote with him, because it was really legislating far in advance of any public opinion which might exist in the country at the present time.

*LORD REAY hoped his noble friend would not press the Amendment. He considered, with many others, that this was one of the most valuable provisions of the Bill He thought the way in which it would be carried out would be that in urban districts there would be some agreement between educational authorities and employers of labour to put the subsection into practice, and in the rural districts, of course, it would be necessary to have the support of the farmers. Furthermore, these continuation classes would be gradually developed. He did not think that there was any risk that this compulsion would suddenly be sprung upon the population of Scotland in all the school board districts, and for the simple reason that at this moment there was a very limited supply of teachers duly qualified to give this instruction in the continuation classes. Therefore, the noble Lord might feel assured that this subsection would come into gradual operation. As an ideal, he thought it of the utmost importance that the subsection should be retained in the Bill, because sooner or later the general necessity of these continuation classes would be recognised throughout Scotland.

LORD AVEBURY joined in the appeal to Lord Camperdown not to press the Amendment. The period from the age of 14 to 17 was a very critical one in the history of young people, and anything which would encourage their attendance at continuation schools was of the greatest importance. He agreed with Lord Reay that the provision was not likely to be put into operation on a very large scale at once, but he believed it would eventually tend materially to improve the educational system of the country.

THE EARL OF CAMPERDOWN intimated that he would not press the Amendment. His real object in moving it was to call the attention of their Lordships to this subsection as an illustration of the doctrine of what was known as germs. This Bill provided that young men or young women might be required, under certain circumstances, to attend continuation classes up to the age of 17. The next Bill would require that they should attend them up to the age of 17 under any circumstances. And so they would go on. He would not, however, press his Amendment.

Amendment, by leave, withdrawn.

Clause 10 agreed to.

Clauses 11 to 15 agreed to.

Clause 16 :

LORD HERSCHELL explained that the drafting Amendments standing in his name were designed to avoid the use of the word "national," which appeared to have no precedent in Acts of Parliament in this connection, and was certainly of a somewhat vague and indeterminate character. The object could be equally well attained by simply enacting that the expenditure in question, whatever it was, would have to be approved by the Department and embodied in Minutes to be laid before Parliament. The real sanction for expenditure would be the approval of Parliament in each particular case. It would not rest on the interpretation by the Department of the word "national.'

Drafting Amendments agreed to.

Clause 16, as amended, agreed to.

Clause 17 :

LORD HERSCHELL moved the insertion of a proviso which he explained was designed to prevent an abuse that might be possible under the clause as it now stood. Hitherto some of the more enterprising school boards had provided, at considerable cost, secondary education which was available to, and made use of by, people in neighbouring parishes. These parishes, however, contributed nothing to the support of these schools, and, as this was felt to be an obvious injustice, the Amendment had been introduced to enable such boards to recover the cost of the education of such extraneous children from the education fund of the district.

Amendment moved—

"In page 16, line 2, after the word 'rate, to insert the words 'Provided that in the case of pupils residing temporarily within the said school board district for the purposes of their education, no payment shall be made under this subsection from the district education fund of any district other than that of which the school board district forms a part, except in respect of pupils receiving aid under or in conformity with the general scheme of bursaries for the district in which their parents or guardians are ordinarily resident to be framed as hereinafter provided.'"—(*Lord Herschell.*)

THE EARL OF CAMPERDOWN thought the Amendment was a very just one and a great improvement on the Bill. The word "temporarily" occurred in the Amendment and the word "ordinarily" in the clause. Perhaps the noble Lord would consider before the next stage whether those two words were necessary.

On Question, Amendment agreed to.

LORD HERSCHELL moved the addition of a new proviso, the object of which was, he said, to make the basis of payment under subsection (4) (*a*)—that was to say, in the case of endowed schools—correspond *mutatis mutandis* to what it was under subsection (1), in the case of schools under the board.

Amendment moved—

"In page 16, line 41, after the word 'reasonable,' to insert the words 'and provided also that in lieu of the deduction of income from all sources other than from school rate therein referred to there shall be deducted all income from grants made by the Department and from fees.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Clause 17, as amended, agreed to.

Clause 18:

LORD HERSCHELL explained that the Amendment standing in his name to this clause was necessary inasmuch as it was almost impossible, however careful a committee might be in fixing its scale of charges, to avoid incurring a deficit occasionally. There must, therefore, be some fund from which the deficit could be met. It was sufficiently clear, however, from the wording of the provision, that the intention was that such deficit should be accidental and occasional only. The Department must be satisfied that this was so before sanctioning the payment.

Amendment moved—

"In page 20, line 1, after the word 'defray,' to insert the words 'as nearly as may be,' and in line 2, after the word 'for,' to insert the words 'provided that a deficit occurring in any year, notwithstanding such adjustment may, with the approval of the Department, be paid out of the district education fund or funds.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 21 agreed to.

Clause 22:

LORD SALTOUN moved an Amendment, in subsection (1), to give power to unite a district "or part of a district." He thought it might occasionally happen that a portion of a district could be advantageously joined to an adjacent district.

Amendment moved—

"In page 21, line 28, after the word 'district,' to insert the words 'or part of a district.'"—(*Lord Saltoun.*)

LORD HERSCHELL accepted the Amendment.

On Question, Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23:

LORD BALFOUR OF BURLEIGH moved an Amendment designed to give more efficient control over the accounts of school boards. He said the clause as it stood gave no really efficient control, in spite of the large amount of money from Imperial funds disbursed by school boards. The accountant of the Scottish Education Department went through the accounts of school boards, and called attention, where necessary, to what he regarded as illegal payments, but there was no power whatever of enforcing his opinion, however gross the malversation might have been; and during the time he (Lord Balfour) was in office, cases arose where surcharges ought to have been made. As the Bill was first introduced, the Government proposed to apply to school board accounts the same form of audit as was now applied to parish council accounts; in other words, a professional accountant would go through the accounts, any ratepayer might inspect them and lodge any objections he might have with the auditor, the auditor made a proper report to the Scottish Education Department, and the Department then had discretion whether to surcharge or not. A good deal of objection was taken to that procedure, and many people urged that there should be an appeal to a Court of law for the purpose of deciding whether the payment was legal or illegal. To that he, personally, would have no objection; and in the Amendment standing in his name on the Paper, there was a power of appeal allowed on the question whether the item in the accounts proposed to be surcharged was or was not illegal. But the Government, either on their own Motion, or as the result of pressure, had now inserted one of the most absurd clauses he had ever seen in a Bill. It was to this effect, that in the event of an illegal expenditure being made for the first time, the Department should draw the attention of the officer or person making the expenditure to the illegality, but should take no further steps. What would the officer or person making the payment care? The payment would have been made, and no power would exist of getting back the money, no matter how illegal the payment. The clause went on to say that if the school board did it again then the Department or the ratepayer might go to the Court of Session to have the payment declared illegal. But the payment would have already been declared illegal although there was no power to go further. Surely the proper course was to have objection taken to the payment in accordance with the practice in connection with parish council accounts. If the school board whose accounts were called in question thought the payment legal and that they had a case, they should be the persons to appeal to the Court. It was ludicrous to suppose that the procedure now in the clause would ever be put efficiently in force. Supposing a school board in the last year of office made an illegal payment. Nothing could be done. A completely new set of persons then came into office. Three years, it might be, afterwards, that board would be prejudiced by the fact that their predecessors had made an illegal payment. At least, that was how he read the clause. But if it meant that the illegality might again take place, then the clause was rendered even more ridiculous. All his Amendment provided was that, if a ratepayer took exception to the accounts, the auditor should report, and the Scottish Education Department should have discretion to surcharge or not, and if they did surcharge an appeal was given to the aggrieved party. That would give a reasonable safeguard for the proper disbursement of public money.

Lord Balfour of Burleigh.

Amendment moved—

"In page 24, line 2, after the word 'the' to insert the words 'accountant of the'; in line 4, after the word 'and,' to insert the words 'surcharge the same on the person or persons making or authorising them and'; in page 24, line 6, to leave out from the word 'and' to the end of the subsection, and after the word 'account' to insert the following new paragraphs: Provided that any person aggrieved by such disallowance and surcharge may, within the time and in accordance with the conditions prescribed by Act of Sederunt, appeal against the same to either division of the Court of Session, who shall hear and determine such appeal, or in lieu thereof any person so aggrieved may, within fourteen days of receipt of notice of such disallowance and surcharge, appeal to the Secretary for Scotland, who shall have power, after considering the whole matter, to sustain or reject the said appeal; (*f*) if the Secretary for Scotland shall be of opinion that, although a disallowance or surcharge might be lawfully made, the subject-matter thereof was incurred under such circumstances as to make it fair and equitable that the disallowance or surcharge should not be made, he may on application authorise the accountant of the Department to abstain from making the same; (*g*) every sum determined by the accountant of the Department under this Act to be due from any person shall be paid by such person to the school board within fourteen days after such determination has been intimated to him, or, as the case may be, after the disposal of an appeal, and if such sum is not so paid it shall be the duty of the accountant of the Department to recover the same, and the school board shall reimburse him for his expenses, including a reasonable allowance for his time in so far as not recovered from the person surcharged.'"—(*Lord Balfour of Burleigh.*)

Lord HERSCHELL said that, as far as he understood, the noble Lord agreed to the proposal of the Government up to a certain point—namely, to the point where the auditor discovered an expenditure which he considered to be illegal. The objections to the course which the noble Lord advocated were several. In the first place, it was very strongly contended by the representatives of school boards that a question of law ought not to be left to the decision of a single individual, who, however sound his judgment might be, would probably have had no legal training. Even though there was an appeal, it seemed hard that school boards, which had been proceeding in good faith and under the impression that they were incurring expenditure which was perfectly legal, should be put to the trouble and expense of an appeal at the discretion of a single individual. The clause as it stood was not open to this objection, for the decision as to whether or not the disallowance was to be made was not left to the auditor but to the Education Department, and even the Department could not proceed to make a surcharge without in the first place going to a Court of law and taking the opinion of the Court as to the legality or illegality of the expenditure incurred. The appeal to the Secretary for Scotland, when considered more fully, did not appear to be quite as strong an appeal as might at first sight be imagined. The accountant would be an officer in the Education Department, and the head of that Department was the Vice-President, who was responsible for the actions of those in his Department. They had, therefore, an appeal from the action of the accountant, for whom the Vice-President of the Department was responsible, to the Secretary for Scotland; but the Vice-President of the Department and the Secretary for Scotland were one and the same person. Therefore the appeal would not seem to rest on as strong grounds as might otherwise be the case. But, apart from this, the question of illegal expenditure was to a very large extent affected by experience obtained in the past of the number of cases in which it was likely to occur. He had received that morning an interesting communication from the chairman of the Edinburgh School Board, who wrote not only in that capacity, but also as chairman of the conference of school boards, stating very strongly his view that the clause as it stood was preferable to the Amendment of the noble Lord. Among other statements, this gentleman said that out of an aggregate expenditure of £58,000,000 during the last twenty-five years, the total disallowed throughout the whole of Scotland was only £2,000. Another point worthy of consideration was that a great deal of this so-called illegal expenditure arose from the fact that in preceding Acts of Parliament no provision was made for amending the law so as to meet the requirements that might in subsequent years grow up. Subsection (7) of Clause 3 in the present Bill did provide that where future experience should show that Amendments were necessary, they could be made by Minutes of the Department, which, of course, would not come into force until they had lain for not less than one month upon the Table of both Houses of Parliament. He did not think, therefore, that the number of cases of illegal expenditure would be very great. They should not assume that any of the Boards would willingly, on the strength of the provision in the clause under discussion, incur expenditure which they knew to be illegal. There was, however, a remedy. Any ratepayer in the district at present possessed the power, by refusing to pay his rates, to bring the action of his local authority under the review of a Court of law in order to challenge what he deemed to be illegal expenditure, and that even on the first occasion.

Lord BALFOUR of BURLEIGH said the noble Lord had given no reason for the Government's change of opinion. The Government clearly thought some alteration necessary, because they proposed a stringent audit in the Bill as introduced. Why had they changed their opinion? The noble Lord had quoted a letter from the chairman of the school board of Edinburgh. That board had an honourable record, and he was the last person to suggest that the school board of a great city like Edinburgh would ever commit an illegal act. But during his experience at the Scottish Education Department over and over again boards in different parts of the country were proved to have been guilty of illegal expenditure, but it was useless to disallow it because they could neither get it back nor punish the offenders. He knew few ratepayers who would care to make themselves martyrs, and even if they did and their view was upheld there was no power to go further. He appealed to the Government to reconsider the absurdities and crudities of the clause as it stood.

Lord ZOUCHE of HARYNGWORTH thought every precaution should be taken to ensure that the money of the ratepayer was properly expended, and that he was not compelled to pay something that was illegal.

Lord WELBY said that, in his opinion, Lord Balfour had gone very far in proving his case. He hoped, therefore, that unless the Government were prepared to reconsider the clause before the next stage of the Bill, his noble friend would press the Amendment.

Lord HERSCHELL said that, though the Government were unable to accept the Amendment, they would not put the House to the trouble of a division.

On Question, Amendment agreed to.

Lord BALFOUR of BURLEIGH said the Government had not challenged a division, but, at the same time, they had not accepted the Amendment. He hoped, if the Government could not accept his Amendment as it stood, they would make a real effort to devise a better clause than that at present in the Bill.

Lord HERSCHELL assured the noble Lord that the whole matter would be considered by the Government before the Report stage.

Consequential Amendments agreed to.

Lord HERSCHELL moved the insertion of a new subsection, the object of which was, he explained, to postpone the application of the new regulations as to the audit of accounts to the next financial year beginning on 15th May, 1909.

Amendment moved—

"In page 25, line 41, after the word 'duties' to insert the following new subsection:—'(5) Nothing in this section contained shall affect the accounts of a school board or other managers for the year ending the fifteenth of May, in the year nineteen hundred and nine, or the audit of such accounts, and such accounts shall be kept, audited and otherwise dealt with as if this Act had not passed.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause 23, as amended, agreed to.

Clauses 24 to 26 agreed to.

Clause 27:

The Duke of NORFOLK moved to leave out the first subsection setting forth that the "parish electors" should alone be eligible for the election of members of a school board. There were, he said, a large number of electors in the populous districts who had business premises not used as a dwelling house who had the right to vote. A change to the parish register would cause these electors to lose that right. If the franchise were changed, as proposed, it would eliminate one-third of the voters in Glasgow. He understood that there were 161,000 voters on the school board register, and only 106,000 on the parish register; therefore the change would deprive some 55,000 persons of their right to vote at the school board elections. He spoke on behalf of his co-religionists in Scotland, especially in Glasgow, where many Roman Catholics were already handicapped in education matters.

Amendment moved—

"In page 26, line 36, to page 27, line 4, to leave out subsection (1)."—(*The Duke of Norfolk.*)

Lord HERSCHELL said it was perfectly true that in populous districts there was a discrepancy between the school board roll and the parish register, but the discrepancy was more apparent than real. On the roll were entered the names of the same persons very often three and four times, which accounted for a large portion of the discrepancy to which the noble Duke had referred. The school board roll was simply a copy of the valuation roll, leaving out properties under the value of £4 annually. That was the reason why the same names appeared frequently on the roll. There was another slight difference. It appeared to be a practice for the compilers of the school board roll to enter automatically the names of joint owners and occupiers whenever the valuation of the combined holding amounted to more than £4 a head; but, in the case of the parish council register, joint owners and occupiers were not so entered. There was, in fact, very little real discrepancy.

THE DUKE OF NORFOLK asked whether it was not the fact that in the case of the parish register the name had to be on the register for a certain period before the person was entitled to vote.

LORD BALFOUR OF BURLEIGH agreed that there was a certain measure of disfranchisement by the change in the Bill. The parish voters' roll was a residential roll, and the proprietor of a shop, for instance, in Glasgow who resided out of Glasgow, would not be able to vote at the election in Glasgow. Presumably the shopkeeper kept his children where he resided, and not at the shop. Therefore it was reasonable that he should have the education vote in the district where he resided. The Bill, however, carried out a great measure of enfranchisement in the country districts, especially in the Highlands and in the crofting districts. He knew of one case where the landlord, the factor, the clergymen of different denominations, and the schoolmaster himself were the only voters for the school board. It was clear that the great majority of the crofter population ought to have votes, and the subsection as it stood would be an enfranchising clause for the rural districts.

Amendment, by leave, withdrawn.

LORD BALFOUR OF BURLEIGH said the next Amendment standing in his name, raised one of the largest issues it was possible to imagine in a Bill of that kind. The cumulative vote, which was the present system, had by universal consent been largely discredited, and since the Second Reading of the Bill, he had received a considerable number of communications urging that that system should be got rid of. The Government had intended to abolish the cumulative vote, because in the Bill as introduced in the House of Commons, they proposed that the voting should be according to the system of each voter having one vote for as many vacancies as there were to be filled. That system, however, might have resulted in the whole of the Board being of one colour. A considerable amount of dissatisfaction arose in consequence, and various suggestions were made. The system that he now recommended was put down, but unfortunately there was no time for its discussion in the other House. He believed the system he was recommending to the House would give minorities not merely as good, but a better chance of being represented, than the cumulative vote. This system—it had been so fully explained, and was so well-known to their Lordships, that he would not go into it at length—had been tried over and over again, and their Lordships had seen a good illustration of how it was worked in the newspapers of Monday last. Under it, elected bodies would be more or less an exact reflex of the opinion of the constituencies, and it was bound to make its way in the future by its own merits. He was so anxious that it should be tried that he was willing that the school boards of Scotland should be the *corpus vile* for the experiment. Even at this late period of the Session he hoped that an opportunity would be given for a free, frank, and unprejudiced discussion of the subject in another place.

Amendment moved—

"In page 27, line 8, after the word 'therein, to insert the following new subsection: (3) At every election for a school board, every voter may give his vote for one candidate only, but he may also indicate by the figures two, three, and so on, his second and further preferences among the candidates. If without taking account of the second or other preference the number of votes given to any candidate amounts to or exceeds a number (hereinafter called "the quota") ascertained by dividing the total number of votes given to all the candidates by a number one more than the number of seats to be filled, that candidate shall be declared elected. If he has more than the quota, a number of votes equal to his surplus shall be distributed among the other candidates not already elected in proportion to the next preferences indicated by the voters who voted for him, and any candidate obtaining the quota or more by adding to his original votes the votes obtained by him on such distribution shall be declared elected. When, in this way, no candidate has any surplus, the candidate having fewest votes shall be struck out, and the votes cast for him shall be distributed in the same way, and so on until all the candidates in excess of the number of seats to be filled shall have been struck out. The remaining candidates shall then be declared elected. The foregoing provisions shall be carried into effect by returning officers in such manner and under such regulations as to recounting votes and otherwise as may be prescribed by the Scottish Education Department.' "—(*Lord Balfour of Burleigh.*)

LORD STANLEY OF ALDERLEY had no doubt that the scheme would be more effective than the cumulative vote, and asked that the experiment might be tried. He reminded the House that their Lordships had sent down to the House of Commons last year a Bill providing that municipalities, where they were desirous of doing so, should be empowered to adopt the single transferable voting system, and that the Royal Commission presided over by Lord Cross in 1886–7, while not agreed upon the policy whether there should be a scheme for special representation of minorities, resolved that, if such a scheme were to be approved, the best way of achieving this was by the single transferable vote. No doubt the cumulative vote had worked better in Scotland than in England; but in England it had proved, perhaps, the most clumsy way of securing the representation of the minority. It was wasteful of votes for the majority, it embarrassed people as to how many candidates to run, and it led to the most elaborate wirepulling. He was quite sure that it would be a good thing to take this opportunity of trying the experiment of the system of proportional representation.

LORD AVEBURY, in supporting the Amendment, took exception to Lord Stanley's describing the system proposed as an experiment. He thought it had passed far beyond the stage in which it could fairly be called an experiment. It had been adopted by the Northumberland miners in all their trade union elections for a number of years, and had worked well. The system proposed in the Amendment was working with success in Denmark, Switzerland, Belgium, Sweden, Finland, and various other countries, and he had not the slightest doubt that it would work equally well in this country.

LORD HERSCHELL, while admitting that on the merits of the Amendment there was a great deal to be said, pointed out that the matter had not been thrashed out, and the adoption of the method in this Bill might prejudice the inquiry which the Prime Minister had promised into the whole question. Moreover, there had been no conclusive experiments which demonstrated the superiority of the system of proportional representation as compared with the cumulative vote. In a word, the position of the Government was this, that while the cumulative vote had been shown to have many weaknesses in working, and while they would be very willing to discard it in favour of a more equitable system if it were shown, after careful and impartial examination, that a more equitable system was available, they had come to the conclusion that until that could be shown they would not be justified in discarding that protection for minorities which the cumulative vote, with all its faults, did secure.

LORD COURTNEY OF PENWITH said the noble Lord who had spoken on behalf of the Government had pleaded in extenuation of his not accepting the Amendment two things—first, that this question had not been sufficiently considered, and, secondly, that the Prime Minister had promised an inquiry which might be prejudiced by the adoption of the Amendment. As to the first point, by adopting the Amendment their Lordships would give the other House an opportunity of considering the subject. The original proposal of the Government had been rejected in Standing Committee in the other House; but, owing to lack of time, the substitution of the single transferable vote could not be considered, and the Secretary for Scotland had no alternative but to leave the cumulative vote as it stood. The question was ripe for consideration on the part of the other House, and there was no risk of the Bill being imperilled if the Government maintained an open mind on the subject and allowed it to be considered. He was convinced that if they did, the system proposed in Lord Balfour's Amendment would be adopted. As to the other reason for not accepting the Amendment, no one felt more grateful to the Prime Minister than he did for consenting to institute an inquiry into the matter; but there was this distinction between that inquiry and the present proposal—the inquiry would have reference to the representation of the people in Parliament and the manner in which Members of the House of Commons should be elected, whereas the elections dealt with in the Bill were of an entirely different character. If it were a question of the election of a confederation of school boards in Scotland it might be pleaded that the inquiry was on all fours with the present proposal. The system of the cumulative vote had been discredited throughout Scotland, whilst that of proportional representation would secure, with greater certainty and more precision, the benefits indirectly secured by the cumulative vote. All he asked was that the other House should be given an opportunity of considering the subject.

***LORD REAY** urged that the Amendment should be withdrawn. He admitted that the arguments in favour of it were weighty, but questioned whether the present was an opportune time for the introduction of a new system of voting and of this particular method of giving effect to it. In the Report just issued dealing with the constitution of their Lordships' House, proportional representation was not proposed by the very influential Committee which submitted that Report; after careful inquiry, the Committee adopted the cumulative vote. That seemed to him a very strong argument for not interfering at present with the existing state of things in Scotland.

***THE EARL OF CREWE**: My Lords, my noble friend behind me put his case, as he always does, very clearly and fairly, and I think it is important to remind the House that the question under discussion is not the merits of the single transferable vote, but whether that particular method of voting should be applied in this particular Bill. That is really the only question we have to discuss. We are all, I think, interested in the manner in which my noble friend's supporters have increased within the last few years. There was a time when proportional representation was not regarded with very great general sympathy, but of late the question has become much more before the public, and I think the point of view of my noble friend has been adopted by many more people than held it formerly. We were all of us interested in the account of the election which took place the other day. I had the pleasure myself of voting for various gentlemen, including the Prime Minister and a distinguished brother of the noble Marquess opposite, and I distributed a large number of papers in my own department. But, as regards the inclusion of the plan in this particular Bill, my noble friend has pointed out very fairly that a serious question arises with regard to the inquiry of which the Prime Minister gave notice in reply to a deputation. That inquiry, I have every reason to believe, will be a very thorough one, carried on by people of general eminence and in some cases of particular experience in the matter. It is impossible to say what conclusion they will reach, and it does seem to me that it would be curious and anomalous for the Government, while this matter is under consideration, to adopt in a Bill of their own one particular method put forward. I think my noble friend has put it somewhat high. Objections have been taken even to the single transferable vote and to the method of its working in other parts of the world. Therefore it would be premature to say that that plan, in the form in which he proposes it, is the one which is certain to be recommended. It seems to me it would be difficult for us to insert it in this Bill without appearing to recommend it beforehand. My noble friend drew an extremely ingenious distinction between the election of a school board and a Parliamentary election. Is there anything very real in that distinction? The school board is as much a body of persons brought together to carry out a particular object as Parliament is itself. The difference is merely one of scale, and I confess I was not impressed by my noble friend's argument that if it was a question of what all the school boards in Scotland were to do when massed together the case would be different. It does seem to me that a school board is an assembly, although a very small one, in the same sense that Parliament is an assembly. I can quite understand my noble friend's desire to have a general discussion in another place on the single transferable vote. That, I think, is his object in desiring that this Amendment should be carried. Whether another place has at this moment, in the present state of public business, the same desire, I confess I have some doubt; and, under these circumstances, I do not feel that it would give the Bill a better chance of becoming law if it were sent down to another place with this Amendment inserted. On that ground I would appeal to my noble friend opposite not to press his Amendment.

*THE MARQUESS OF LANSDOWNE: My Lords, I think it must be satisfactory to my noble friend to find that the objection to his proposal is based almost entirely, not upon its merits, but upon its opportuneness at the present moment. So far as the question of merit goes, very little has been said to impugn it. The noble Lord who has charge of the Bill, and who has handled it with great dexterity, admitted frankly hat the cumulative vote did not work satisfactorily in Scotland, and that there was a good deal to be said for the alternative procedure advocated by my noble friend. The only solid objection to his proposal is that the Prime Minister has undertaken that there shall be an investigation into the whole of this question, and that the adoption of this plan of proportional voting in the Bill now before us might embarrass the Prime Minister in reference to that investigation. I confess I am not quite able to see why that should be the case. My noble friend, who speaks with great authority on all Scottish questions, was ready to hand over his country — it was his expression and not mine — as the *corpus vile* upon which this experiment might be tired, and I should have thought the experiment would have been an extremely instructive and useful one. I think my noble friend will have to consider whether, after what has been said on behalf of His Majesty's Government, it is worth his while to press the Amendment to a division. The Amendment no doubt brings with it a very serious innovation, and I think it is doubtful, whether in a not very well filled House, in the teeth of strong opposition from His Majesty's Government, and at a period of the session when it is surely not very desirable that new points of controversy should be raised, he would do well to insist upon adding to this Bill the clause standing in his name. For this reason I would respectfully suggest to him that it might be better to defer to the strong pressure which has been put upon him by noble Lords opposite, and not ask the House to divide.

LORD BALFOUR OF BURLEIGH confessed to feeling himself in a difficult position. If this question was ever to be advanced it would have to be by practical experiment. It was all very well to praise the system in theory, but if never seriously put into operation it would never be advanced in public favour. The appeals made by the noble Earl the Leader of the House and the noble Marquess the Leader of the Opposition were appeals which had great force. Personally, he would be inclined to ask permission of the House to withdraw the Amendment, but, if other noble Lords insisted on dividing, he would, of course, feel bound to vote with them. Would it not be possible for the Government, at a subsequent stage of the Bill, to insert a provision empowering parishes to petition the Scottish Education Department to be allowed to vote in this particular way? The objection to the cumulative vote was stronger in some parishes than in others, aud it might not be uninteresting if in individual cases this particular form of election could be tried.

LORD FITZMAURICE said the appeal which the noble Lord had made should receive the attention of His Majesty's Government. But bearing in mind the stage of the session at which they had arrived, he could not hold out any great hope that it would be possible for the Government to meet the noble Lord on this point.

Amendment, by leave, withdrawn.

Drafting Amendment agreed to.

LORD SALTOUN moved to amend subsection (3) of Clause 27, by inserting the words "or on the petition of not less than ten ratepayers." The subsection would then read—

> "On the application of a school board, or on the petition of not less than ten ratepayers, the Department may, for the purposes of the school board election, if they think fit, divide the school board district into two or more electoral divisions, may define the boundaries of such divisions, and may fix the number of members of the school board to be elected within each division."

Amendment moved—

> "In page 27, line 9, after the word 'board' to insert the words 'or on the petition of not less than ten ratepayers.'"—(*Lord Saltoun.*)

LORD HERSCHELL accepted the Amendment.

On Question, Amendment agreed to.

THE DUKE OF NORFOLK moved the deletion of subsection (3) which the Committee had just amended. If the school board districts were broken up into small electoral divisions the advantages given to minorities by the cumulative vote completely vanished. He therefore hoped the Government would be able to accept this Amendment.

Amendment moved—

"In page 27, lines 9 to 14, to leave out subsection (3)."—(*The Duke of Norfolk.*)

LORD HERSCHELL said the subsection was inserted in the earlier draft of the Bill when it was proposed to abolish the cumulative vote. There was not quite the same necessity for it now; but, even with the cumulative vote, occasion might arise when it would be found convenient to subdivide some unwieldy constituency. The power which the subsection gave to the Department would certainly not be exercised unless there was general agreement in the locality as to its desirability.

Amendment, by leave, withdrawn.

Clause 27, as amended, agreed to.

Clauses 28 and 29 agreed to.

Clause 30:

LORD BALFOUR OF BURLEIGH, in withdrawing, owing to the lateness of the hour and the sparse attendance, an Amendment standing in his name on the Paper, expressed the hope that the noble Earl the Leader of the House would turn his attention to this clause, with a view of seeing the really drastic changes it proposed in regard to trusts. The trusts dealt with under the clause were examined into twenty-five years ago by a Commission of which he was Chairman. They were then largely reformed, the governing bodies in every case liberalised, and representatives of public authorities placed upon them. It was now proposed to give a chance majority on any governing body the right to hand over the endowment to the district committee. He did not think it would injure the Bill as a whole if the clause were omitted altogether. It would, however, to a certain extent avoid symmetry of administration, and he had therefore hesitated to go so far as to move its omission. But unless something were done to remove its drastic nature, he would be strongly tempted to move the deletion of the clause at the next stage

Clause 30 agreed to.

Remaining clauses agreed to.

Standing Committee negatived; Bill to be printed as amended. (No. 242.)

STATUTE LAW REVISION BILL [H.L.].

Read 3ª (according to order), and passed, and sent to the Commons.

EDINBURGH AND LEITH CORPORATIONS GAS ORDER CONFIRMATION BILL [H.L.].

A Bill to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1899, relating to the Edinburgh and Leith Corporations Gas—Was presented by the Lord Herschell (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, sections 8 and 9); read 1ª; and to be printed. (No. 243.)

House adjourned at half-past Seven o'clock, till To-morrow, a quarter past Three o'clock.

HOUSE OF COMMONS.

Wednesday, 9th December, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

NORTH BRITISH RAILWAY ORDER CONFIRMATION BILL (BY ORDER).

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. C. E. PRICE (Edinburgh, Central) said the North British Railway Company was one of several companies that had entered into a combination, and he had received a communication from the Edinburgh Chamber of Commerce pointing out that these companies were calling upon traders to sign documents freeing them from claims that might arise.

MR. SPEAKER: Which clause is the hon. Member referring to?

MR. C. E. PRICE: Clause 1.

MR. SPEAKER: Clause 1 says, "This order may for all purposes be cited as the North British Railway Order."

MR. C. E. PRICE, continuing, stated that at the Waverley Station, Edinburgh, the North British Railway Company were discharging a large number of hands.

*MR. SPEAKER: Which clause is that? The hon. Member must make his speech relevant to the clauses of the Bill.

*MR. SMEATON (Stirlingshire): Am I not entitled to state to the House objections on general grounds, apart from the text of the Bill, to the passing of this Bill?

*MR. SPEAKER: On the Third Reading the hon. Member must confine himself strictly to the clauses of the Bill.

*MR. SMEATON: Then I beg to move the adjournment of the debate.

Motion made, and Question, "That the debate be now adjourned,"—(*Mr. Smeaton*)—put, and agreed to.

Debate to be resumed upon Monday next, at a quarter past Eight of the Clock.

PETITIONS.

ENFRANCHISEMENT OF WOMEN.

Petition from Launceston, for legislation; to lie upon the Table.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Petition from Inverness, for alteration; to lie upon the Table.

RETURNS, REPORTS, ETC.

JUDICIAL STATISTICS (ENGLAND AND WALES).

Copy presented, of Judicial Statistics for England and Wales, 1907. Part II. (Civil Judicial Statistics) edited by Sir John Macdondell, C.B., LL.D., Master of the Supreme Court [by Command]; to lie upon the Table.

LAND PURCHASE PRICES (IRELAND).

Return presented, relative thereto [ordered 2nd December; Mr. Flynn]; to lie upon the Table, and to be printed. [No. 356.]

Return presented, relative thereto [ordered 7th December; Mr. William O'Brien]; to lie upon the Table, and to be printed. [No. 357.]

INQUIRY INTO CHARITIES (COUNTY BOROUGH OF EXETER).

Return ordered, "comprising, (1) the Reports made to the Charity Commissioners in the result of an Inquiry held in the County Borough of Exeter into Endowments, subject to the provisions of the Charitable Trusts Acts, 1853 to 1895, and appropriated in whole or in part for the benefit of that County Borough, or of any part thereof, together with the Reports on those Endowments of the Commissioners for inquiring concerning Charities, 1818 to 1837; (2) a Digest showing whether any, and, if any, what such Endowments are recorded in the books of the Charity Commissioners in the County Borough; and (3) an index, alphabetically arranged, of names and places mentioned in the Reports."—(*Mr. Soares.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Portsmouth Harbour Defence Works and Danger to Coasting Craft.

MR. ARTHUR LEE (Hampshire, Fareham): To ask the First Lord of the Admiralty whether he has received a petition, signed by some 700 mariners and fishermen of Portsmouth, representing that the new Admiralty works for protecting the entrance of Portsmouth Harbour are, in their present form, not only preventing the said mariners and fishermen from following their avocations, but also constitute a danger to their lives and vessels; whether he is aware that there have been already several accidents to boats resulting from these works; and whether he will consider the request of these petitioners to have a slight modification effected in the arrangement of the concrete blocks so that one navigable opening may be left in time of peace which could readily be closed in time of war.

(*Answered by Mr. McKenna*) The petition referred to by the hon. Member has been received. While it is recognised that the work may cause some inconvenience to coasting craft, it does not constitute a danger to them if proper care is exercised. One case has been reported in which a boat was slightly damaged. The modification proposed by the petitioners would impair the utility of the work, which is necessary for the proper defence of the harbour, and, looking to the important interests involved, it is regretted that a departure from the original scheme, as indicated, cannot be made.

Board of Trade Examinations for Master Mariners and Mates.

MR. SUMMERBELL (Sunderland): To ask the President of the Board of Trade if he is aware that the notice issued by the Marine Department, and which came into operation on 1st April of this year, as to candidates for certificates of competency as master or mate, showing that they possess a knowledge of first-aid to the injured, the fees for which are not likely in any case to exceed £1 1s., is not being carried out; that the fees are about double that mentioned above, whereas at the adjoining ports of South Shields and Hartlepool the fees are 15s. and £1 1s., respectively; that such restrictions act as a hindrance to candidates taking the ambulance certificate in Sunderland; and, if so, will he state what action he intends to take, with a view to giving more favourable facilities than now exist to candidates in Sunderland.

(*Answered by Mr. Churchill.*) I am aware that in certain cases the fees charged at Sunderland for instruction and examination in first-aid to the injured are higher than those estimated in the notice referred to and than those charged at neighbouring ports. The Board of Trade have been in communication with the St. John's Ambulance Association on the subject, but the association state that they are unable to interfere in the financial arrangements of their local centre at Sunderland, and the Board have no power to require a revision of those arrangements. It may be pointed out that it is open to candidates to use the facilities at neighbouring ports in the cases in which the higher fees are payable at Sunderland.

Policing of Primrose Hill.

SIR W. J. COLLINS (St. Pancras, W.): To ask the First Commissioner of Works whether he has received complaints as to the insufficient policing of Primrose Hill; how many keepers and constables are employed by day and by night on the hill; and whether he proposes to increase the number.

(*Answered by Mr. L. Harcourt.*) My attention has been drawn to the desirability of additional park-keepers for Primrose Hill. The number at present is, by day two park-keepers; by night two police constables. It is proposed to appoint an additional park-keeper in the coming year for day duty. The policing at night is in the hands of the Commissioner of Police.

Evicted Tenants—Application of J. P. Liston.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether the Estates Commissioners received an application from John P. Liston, of Cooltomin, Shanagolden, in the county of Limerick, for reinstatement in the holding from which his father, since deceased, was evicted; and, if so, what action do they intend to take in the matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners do not propose to take any action on this application. The holding in question was bought under the Purchase of Land (Ireland) Act, 1891. The applicant is the owner of a portion of it, and his aunt is the owner of the remainder.

Delay in Giving Grants to Evicted Tenants on the Knight of Glin's Estate.

MR. O'SHAUGHNESSY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say what is the cause of delay in giving grants to the evicted tenants on the Knight of Glin's estate, at Glin, in the county of Limerick; is he aware that these tenants were reinstated last May and promised grants to enable them to pay the percentage on the purchase money pending completion of sale, and that unless provision be made for them at once to enable them to stock their farms they cannot in the future pay their instalments.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the purchase agreements signed by these tenants were not lodged until the end of October last. The Commissioners are considering the question of making them grants.

Imports into Southern Nigeria.

MR. JOYNSON-HICKS (Manchester, N.W.): To ask the Under-Secretary of State for the Colonies what is the total amount in value of the imports into Southern Nigeria during each of the last five years, distinguishing alcoholic liquors and also articles imported by the Government itself for railway and other purposes.

(*Answered by Colonel Seely.*) The figures are:—

——	1903.	1904.	1905.	1906.	1907.
	£	£	£	£	£
Government - - -	236,120	211,855	309,566	309,567	298,615
Commercial:					
Spirits - - - -	220,871	277,300	262,256	301,738	385,505
Other - - - -	1,671,151	1,933,558	2,020,584	2,236,013	3,155,219
Total Value of imports * -	2,128,142	2,422,713	2,592,406	2,847,318	3,839,339

* Exclusive of specie imported.

Value of Marsh Land Purchased at Glasgow Green.

MR. DUNDAS WHITE (Dumbartonshire): To ask the Secretary for Scotland with reference to the property of about forty-three acres of marsh land beside the Clyde, near Glasgow Green, which was purchased by the Glasgow Corporation about ten years ago, and part of which has now been made up into Richmond Park, what was the total area purchased; when was the purchase effected; what was the price per acre; what was the total price; and what was being taken as the annual value for rating of that property as a whole at the time of purchase.

(*Answered by Mr. Sinclair.*) The total area purchased was 44 acres 8 poles. The date of purchase was Whitsunday, 1898. The price per acre was £1,000, and was fixed by a valuator named by purchasers and sellers. The total price was £44,050, less £2,926 19s., the capitalised value of feu duties for which purchasers were to be liable. The land purchased formed part of a larger area and was not separately shown on the valuation roll. It is estimated that its annual rateable value was about £300.

Hampstead Telephone Exchange.

MR. BELLOC (Salford, S.): To ask the Postmaster-General whether the day staff had left the Hampstead telephone exchange before the night staff came on duty upon Sunday, 11th October last.

(*Answered by Mr. Sydney Buxton.*) In no case did a telephonist leave her position until relieved by a night operator on the 11th October last, and the charge of the exchange was not handed over to the chief night operator by the supervisor until the whole of the day staff had been relieved.

Report of Interdepartmental Conference on the Coastguard.

MR. REMNANT (Finsbury, Holborn): To ask the First Lord of the Admiralty why the further Report of the Interdepartmental Conference on the Coastguard, which has been received by the Admiralty, should not be made public at once; and whether he will undertake to do so without delay.

(*Answered by Mr. McKenna.*) I must refer the hon. Member to the reply given on the 2nd December to the hon. Member for the Strand. The Report is being dealt with in this Department, and no statement with regard to its publication can yet be given.

Old-Age Pensions—Remuneration to Pension Officers.

MR. LEVY LEVER (Essex, Harwich): To ask Mr. Chancellor of the Exchequer, in view of the fact that the scale of remuneration to clerks to pension committees and to postmasters for their work in connection with the old-age pension scheme has been fixed, and that the pension officers have been promised extra remuneration for their work, he will state the amount per claim that will be paid to the latter officials.

(*Answered by Mr. Lloyd-George.*) Perhaps the hon. Member will allow me to refer him to the Answer I gave to a Question by the hon. Member for the Thornbury division on the 3rd instant.

Old-Age Pensions—Claim of John Ryan.

MR. PATRICK O'BRIEN (Kilkenny): To ask Mr. Chancellor of the Exchequer whether he is aware that a man named John Ryan, who spent fifty years in one employment, was an applicant for an old-age pension, and fully satisfied the Kilkenny committee of the justice of his claim in the matter of age and with regard to every other qualifying condition, and that his claim was rejected by the pensions officer on the ground that he was in the workhouse hospital for a short time recently, being taken there by the union doctor for special treatment of some disease which could not be properly treated in his home; whether he is aware that John Ryan, since his discharge from the hospital, has repaid to the union the cost of his maintenance and treatment while in hospital; whether, under all the circumstances, this man is entitled to the pension; and will he instruct the pensions officers that it shall be allowed to him.

(*Answered by Mr. Lloyd-George.*) The question whether the man is entitled to a pension is for the pension committee to determine, subject to appeal to the Local Government Board. If a pension has been refused by the committee it is, of course, open to the claimant to appeal.

Old-Age Pensions—Disqualification through Illness in Union Hospitals.

MR. PATRICK O'BRIEN: To ask Mr. Chancellor of the Exchequer whether he is aware that the Board of Inland Revenue have issued instructions to pension officers in Ireland to treat claimants for old-age pensions who had been, through illness, in union hospitals as disqualified; whether the Board in issuing such Order in Ireland had acted on the opinion of a qualified Irish lawyer; whether the legal grounds, if any, on which the Board's view was based would be furnished to the local pension committees for their information and consideration; whether such committees would be furnished with funds and other facilities for obtaining the best independent legal advice obtainable on the question; and whether the Government will provide some tribunal to hear and decide appeals on behalf of the pensions committees, and provide the necessary funds to enable the committees to be represented by counsel.

(*Answered by Mr. Lloyd-George.*) The Commissioners of Inland Revenue are advised that maintenance in a union hospital constitutes a disqualification under Section 3 (1) (*a*) of the Old-Age Pensions Act, and pension officers who have made inquiries on the point have been informed accordingly. Pension committees are, however, not bound by the opinion either of the pension officer or of the Board of Inland Revenue, and they can, if they feel any doubt on the subject, apply for advice to the Local Government Board, or, if they are satisfied that there is no disqualification, they can grant the pension. In the latter case, it will of course be open to the pension officer to appeal against the grant to the Local Government Board, with whom, under the Act, the final decision rests. The Local Government Board (who are the appeal authority provided by the Act) have access to the highest legal advice, and I understand that they are prepared to consider any representations made to them by pension committees, and I see no sufficient reason for adopting the suggestions made in the Question, to which, in any case, effect could not be given without further legislation.

Old-Age Pensions and Poor Law Relief.

MR. L. HASLAM (Monmouth Boroughs): To ask Mr. Chancellor of the Exchequer whether under the Old-Age Pensions Act, a person, having received Poor Law relief during 1908 and precluded thereby from the benefits of the Act during the following year, will be precluded from its benefits during the years 1910–11 if he has not received Poor Law relief during the years 1909–10.

(*Answered by Mr. Lloyd-George.*) Under the law as it stands at present such a person would be disqualified until the 31st December, 1910; after that date he would be eligible for a pension.

Payment of Irish Poor Law Officials for Extra Work caused by making Returns for Royal Commission.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that many of the officials under the control of Poor Law Guardian Boards in Ireland were engaged for some months this year in making out Royal Commission Returns over and above their ordinary duties, and that certain of these officials have not yet been paid for this extra work; whether in the event of the board of guardians paying for this work, the amount involved will be refunded by the Treasury; and, if not, what steps, if any, will he take in the matter.

(*Answered by Mr. Birrell.*) I am aware that extra duties have been discharged by certain officers by boards of guardians in Ireland in connection with the preparation of the Returns referred to, which were ordered by Parliament. I understand that some of these officers have not been paid by the boards for their extra work. As regards the concluding portion of the Question, I would refer the hon. Member to the reply given to my right hon. friend the Chancellor of the Exchequer to a Question asked by the hon. Member for South Wexford on the 26th November.

Army Pension for S. J. Frost, Late 1st Scottish Rifles.

MR. CAVE (Surrey, Kingston): To ask the Secretary of State for War whether Samuel Joseph Frost, late of the 1st Battalion Scottish Rifles and 1st Mounted Infantry, on his enlistment in 1888 was medically examined and passed as fit for service; whether, after upwards of four years efficient service, he was found to be suffering from varicose veins and discharged without a pension or allowance; whether the man attributes his disability to exposure while on military duty; and whether his case can be reconsidered with a view to the grant of a pension or compassionate allowance.

(*Answered by Mr. Secretary Haldane.*) This man was discharged in 1892 as stated. As the medical report was to the effect that the varicose veins were neither caused nor aggravated by military service, but were constitutional in origin, the Commissioners of Chelsea Hospital decided that he had no claim to pension. His case has already been reconsidered, and the man was informed on the 25th November last, that there were no grounds for departing from the previous decision.

QUESTIONS IN THE HOUSE.

Conditions of Service in the Navy.

MR. LONSDALE (Armagh, Mid.): I beg to ask the First Lord of the Admiralty whether young men on joining the Navy are informed of the amount of compensation they will receive in the event of their contracting illness as the result of exposure when on duty and being discharged as unfit for further service; and, if not, whether the rules of the Admiralty as to compensation will in future be made known to all entrants so that the risks of the service may be appreciated.

THE FIRST LORD OF THE ADMIRALTY (Mr. McKENNA, Monmouthshire, N.) The Answer to the first part of the Question is in the negative; but the pamphlet issued to candidates for the Navy informs them that the conditions of service are to be found in the King's Regulations, which contain all information on the subject. The pension regulations relating to injury and disability depend so much upon the circumstances of the individual case, that their insertion in recruiting pamphlets and posters would be of very little practical value to recruits, and would in many cases undoubtedly mislead them.

Admiralty Contract at Portsmouth.

MR. JOHN WARD (Stoke-on-Trent): I beg to ask the First Lord of the Admiralty whether his attention has been called to Clause 2 of the wages and working conditions agreed to by representatives of the contractors and the navvies and labourers in the Portsmouth district, which states that the wages shall be 6d. per hour; whether Messrs. Morrison and Mason, the contractors for the new lock, are paying 5d. per hour to their navvies and labourers; and whether this breach of the Fair Wages Clause of the contract, signed by the contractors with the Admiralty Board, has been sanctioned by his Department.

MR. McKENNA: I must refer my hon. friend to a long reply I gave to a similar Question on this subject from the hon. Member for Wolverhampton on 30th November. According to the information I have received, Messrs. Morrison and Mason are paying 6d. an hour to a number of their navvies and labourers. Those who are receiving less than this wage appear to be paid at the same rate as is paid by other employers in the district for similar work. The working conditions referred to have been fully considered by the Admiralty.

MR. JOHN WARD: Is the right hon. Gentleman aware that his predecessor decided that when the regulation wage was 5½d. per hour, contractors for dock construction should pay that sum as a minimum? And now that rates have increased, is a fair wage paid when the amount is reduced?

MR. McKENNA: The investigations made by the Admiralty show that labourers who can properly be described as navvies are paid 6d. per hour, but there is another class of labour receiving less, and such labour is paid at the same rate by all other large employers in Portsmouth.

MR. JOHN WARD: Has not the right hon. Gentleman received an official letter from the Contractors' Association in the locality protesting against the decision of his Department in allowing this firm to pay less than the proper rate of wages?

MR. McKENNA: I must ask for notice. Such a letter has not come under my personal observation.

MR. BRAMSDON (Portsmouth): How many men are getting 6d. per hour?

MR. McKENNA: I should like notice of that Question also.

Newcastle-on-Tyne Artillery.

MR. RENWICK (Newcastle-on-Tyne): I beg to ask the Secretary of State for War whether he will state what number of batteries of Royal Artillery are at present stationed in Newcastle-on-Tyne; what number of men and horses belonging to each battery are actually in barracks there; and what is the age of the guns with which such batteries are armed.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. ACLAND, Yorkshire, Richmond): There is one training brigade of Royal Feld Artillery of three batteries at Newcastle-on-Tyne. The strength of men and horses according to the latest Returns are as follows:—

37th battery: 84 men; 43 horses.
61st battery: 80 men; 45 horses.
65th battery: 88 men; 41 horses.

The howitzers with which they are armed are six or seven years old.

Worcestershire Regiment Promotion Grievance.

CAPTAIN MORRISON-BELL (Devonshire, Ashburton): I beg to ask the Secretary of State for War whether a subaltern officer has been transferred from the Leicestershire regiment to the

Worcestershire regiment on his original date of commission, thus going over the heads of some forty subalterns, and has since been passed over for promotion; if so, what was the justification for this transfer which, under the circumstances, must naturally create a strong feeling of injustice amongst battalion officers in the regiment concerned who have hitherto considered themselves safe from hindrance to promotion in their own rank provided that they maintained the standard of proficiency for that rank.

Mr. ACLAND: In consequence of the recent reductions of battalions this officer of the West India regiment accepted transfer to the Leicestershire regiment as junior of his rank. When it was found necessary to resort to compulsory transfer of the supernumerary officers of these battalions to other regiments it was decided to allow officers on transfer to retain their seniority, and to restore their seniority to those who were voluntarily transferred as juniors of their rank. This officer's position in the Leicestershire regiment by seniority would have placed him over the heads of subalterns of longer service; he was accordingly transferred to the Worcestershire regiment, where his seniority did not cause him to supersede lieutenants of longer service. Had he not been transferred to the Worcestershire regiment another supernumerary officer would have been transferred in his place.

Bombay Opium Exports.

Mr. BELLOC (Salford, S.): I beg to ask the Under-Secretary of State for India what are the names of the principal firms exporting opium from the port of Bombay to Chinese ports and the port of Hong-Kong.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): We have no official or other list of the firms engaged in the trade referred to by the hon. Member, so that I cannot give him the information he asks for.

Mr. BELLOC: But is not the India Office in possession of the information?

Mr. BUCHANAN: It is not our duty to have a list of the firms engaged in a particular traffic. We may know the firms' names, but if I were to say A. B. and C. were the principal firms, I should at once get a protest from D, E, and F.

*Mr. SMEATON (Stirlingshire): But are not the shippers of the opium also the purchasers?

Mr. BUCHANAN: Very likely.

*Mr. SMEATON: Then the Government ought to know the names of the exporters.

Emigration Literature.

Mr. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the Under-Secretary of State for the Colonies whether the circulars, posters, and other printed matter issued by the Emigrants Information Office to shipping agents, emigration agents, post offices, and local authorities are issued free, at cost price, or at a profit; and whether the handbooks and other printed matter sold to representatives and emigration agents of the Colonies in this country are sold at cost price or at a profit.

The UNDER-SECRETARY of STATE for the COLONIES (Colonel Seely, Liverpool, Abercromby): The circulars and posters issued by the Emigrants' Information Office are issued free of cost. The handbooks are issued at various prices, not exceeding 6d. for any one book. Those issued at 6d., which relate to tropical possessions and certain foreign countries, probably pay for the cost of production. Those issued at lower prices, including the 1d. handbooks on the self-governing Colonies, are issued at a loss.

Mr. JESSE COLLINGS: Do I understand that this printed matter is supplied to shipping agents at cost price or below it?

Colonel SEELY: On the more expensive ones we probably make a slight profit, but not with the cheaper work. If the right hon. Gentleman will give me a week's notice I can supply him with a profit and loss account.

Chinese Coolies in the Transvaal.

*MR. SMEATON: I beg to ask the Under-Secretary of State for the Colonies how many Chinese coolies were employed in the Transvaal mines in January, 1906; how many are employed at the present time; and by what date it is expected that all the Chinese coolies will be repatriated.

COLONEL SEELY: 47,166 Chinese were employed in the Transvaal mines in January, 1906. On 31st October last—the latest figure which I have—there were, I understand, 12,317. The last of the coolies should be leaving South Africa in January, 1910.

MR. SMEATON: Is 47,000 the maximum number?

COLONEL SEELY: No; the maximum has been something over 50,000.

Mr. Churchill's African Tour.

MR. FELL (Great Yarmouth): I beg to ask the Prime Minister for how long the President of the Board of Trade, when Under-Secretary for the Colonies, was absent from the Colonial Office on his journey to British East Africa, Uganda, and elsewhere; what length of time he spent in Nairobi and British East Africa and how many deputations he received there; what was the object of these deputations; and what was done to adjust and regulate the relations between the settlers, natives, and the Government, which was the avowed object of the Under-Secretary's mission.

COLONEL SEELY: Mr. Churchill was absent from the Colonial Office from October, 1907, to January, 1908. He arrived at Mombasa on 28th October, and received there deputations from the Goanese community and Planters' Association, the Chamber of Commerce, and the Zanzibar Khojas. He was at Nairobi from 4th to 15th November. He received addresses from the Colonists' Association, the Pastoralists' Association and the Indian, Goanese, and African communities. Deputations from the Colonists' Association discussed with him the following subjects: Land tenure; labour; agricultural and commercial problems; white colonisation; mining laws; and the administration of law. As regards the last part of the Question, the main object of Mr. Churchill's mission was to make himself acquainted with the Protectorate. The knowledge which he acquired has been of much service to His Majesty's Government and the Secretary of State for the Colonies in the consideration of the many questions arising in connection with East Africa, but it is impossible to give within the limits of an Answer to a Parliamentary Question an account of the action of the Protectorate Government on these questions. Such an account must be sought in the administration Reports of the Protectorate.

MR. FELL: Could we not have first hand from the President of the Board of Trade the report of his interesting visit to those countries, rather than seek for them in the administration papers?

COLONEL SEELY: If the hon. Gentleman wishes for that information he had better ask my right hon. friend. But I daresay he can obtain it at any bookstall.

MR. SWIFT MACNEILL (Donegal, S.): Will the hon. Gentleman tell us, so far as he is aware, did the President of the Board of Trade give any illegal tea-parties in the town-halls of the places he visited?

The Congo Free State.

MR. RENWICK: I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government has officially recognised the transfer of the Congo Free State to Belgium; and, if so, whether guarantees have been given by the Belgian Government ensuring a continuance of international free trade in the territory transferred, as defined in the Berlin Act of 1885.

*THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. MCKINNON WOOD, Glasgow, St. Rollox): His Majesty's Government have not yet officially recognised the transfer of the Congo Free State to Belgium. In the discussion on this subject between the two Governments, which has been presented to Parliament, the Belgium Government have formally declared their intention to abide by the Treaty obligations of the Congo State under the

Berlin Act of 1885. The position remains as disclosed in the Papers laid before Paliament.

MR. BELLOC (Salford, S.): Shall we have a discussion on this before the end of the present session?

*MR. McKINNON WOOD: That is not a matter on which I am able to reply.

MR. BELLOC: Will the Papers be laid before Parliament before the end of the present session?

*MR. McKINNON WOOD: I believe they will be laid before Parliament in January.

MR. RENWICK: Has any progress been made on the point raised in the last part of the Question?

*MR. McKINNON WOOD: That question has been answered. The Belgian Government have formally declared their intention to abide by the Treaty obligations. That covers the point.

MR. BELLOC: Is there a guarantee that His Majesty's Government will not act before Parliament meets again?

*MR. McKINNON WOOD: Of course, my right hon. friend is taking continuous action to secure objects which I am sure have the sympathy of my hon. friend.

MR. SWIFT MACNEILL: Will the hon. Gentleman convey to the Secretary of State the fact that there is a large body of opinion in this House, which objects to the suppression of Papers until Parliament is not sitting?

*MR. McKINNON WOOD: There is no question of the suppression of Papers.

MR. SWIFT MACNEILL: Well we heard nothing of the Treaty with Russia until after Parliament was prorogued.

*MR. SPEAKER: Order, order.

Taxation of Land Values.

MR. WALTER ROCH (Pembroke): I beg to ask the Secretary of State for Foreign Affairs if he can obtain from the British Ambassador in the United States, or otherwise through the agency of the Foreign Office, a full Report showing the effect of the taxation of land values in New York City and Boston U.S.A., and how such valuation was carried out.

MR. McKINNON WOOD: His Majesty's Consul-General in New York and Boston shall be instructed to furnish Reports containing such information as is available on the subject.

MR. WEDGWOOD (Newcastle-under-Lyme): Will the hon. Gentleman consider the desirablity of getting Reports from San Francisco and other States not named in the Question where a separate valuation has been carried out?

MR. McKINNON WOOD: I should like notice of that Question.

Instruction to Pension Officers.

SIR WALTER NUGENT (Westmeath, S.): I beg to ask the President of the Local Government Board if he is aware that pensions officers in Ireland determine the income of applications for pensions by trebling their rents; and if he can state on what grounds they do so.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I may perhaps be allowed to refer the hon. Baronet to the replies which I gave on this point to Questions by the hon. Member for East Tyrone, on the 10th ultimo, and to the hon. Member for Newry on the 18th ultimo.

Pot-still Spirit.

MR. H. C. LEA (St. Pancras, E.): I beg to ask Mr. Chancellor of the Exchequer if he will grant a Return showing the output of pot-still spirit in Scotland and Ireland, respectively, during the last financial year and for the six months ended 30th September last; and the output in gallons of patent-still spirit in England, Scotland, and Ireland, respectively, for the same periods above mentioned.

MR. LLOYD-GEORGE: The information in question is not available, The Board of Inland Revenue are not required to discriminate, for duty or other purposes, between pot-still and patent-still spirit, and consequently separate accounts are not kept of the respective outputs.

Irish Pension Claims.

Mr. FELL: I beg to ask Mr. Chancellor of the Exchequer if he can give any explanation of the miscalculations made of the number of persons in Ireland over seventy years of age who it was anticipated would become entitled to pensions under the Pensions Act; to what does he attribute the discrepancy; and are the numbers of applications for pensions from Ireland being tested by comparison with the ages in the Census Returns on which presumably the calculations of the numbers were based.

Mr. LLOYD-GEORGE: The calculations were based on the Registrar-General's estimate of total population over seventy, less the estimated number of persons who would not be qualified by reason of their possessing means above the statutory limit or for receipt of poor relief and other causes. The number of claims received indicates both that the estimate of total population over seventy was too low and that the estimate of persons in possession of means in excess of £31 10s. a year was too high. The Answer to the last part of the Question is in the negative, the Census Returns of 1901 not being open to inspection by pension officers.

Mr. FLYNN (Cork, N.): Does not the right hon. Gentleman see that the percentage should be based on the population of seventy years ago rather than upon the present population, in view of the enormous migrations from Ireland, and the great decrease in the population generally?

Mr. LLOYD-GEORGE: Yes, I rather agree with my hon. friend. There is something in that. It means that the old people have remained in Ireland while a number of the more vigorous people have left the country.

Mr. FELL: Has any information reached the right hon. Gentleman to account for the great discrepancy shown and to show whether the Registrar-General in making up the figures he supplied the right hon. Gentleman with did not take into account the emigration from Ireland?

Mr. LLOYD-GEORGE: I am making inquiries into this matter. It is rather premature for me to make a statement, but the Census Returns were really not accurate. We made inquiries, and the constabulary rather confirmed the impression created by the figures that a great many people understated their ages in the Census papers.

Pension Appeals.

Mr. CATHCART WASON (Orkney and Shetland): I beg to ask the President of the Local Government Board whether pension officers have been instructed to appeal against claims granted by a pension committee on the ground that the applicant has been absent; and, if so, will he state the nature of the instructions issued to pension officers, especially with reference to seafaring persons.

Mr. LLOYD-GEORGE: The instructions on this point are contained in the Statutory Regulations, paragraph 29 (*a*) (ii.), to which I may refer my hon. friend. No other instructions have been issued.

Indecent Literature.

Sir JOHN KENNAWAY (Devonshire, Honiton): I beg to ask the Secretary of State for the Home Department whether he will consider the re-appointment next session of the Parliamentary Committee which was appointed to consider, among other things, the subject of indecent literature, but which subject, presumably for want of time, is not dealt with in their Report of 29th July, bearing the title only of Lotteries and Indecent Advertisements.

The UNDER-SECRETARY of STATE for the HOME DEPARTMENT (Mr. Herbert Samuel, Yorkhire, W.R., Cleveland): The Secretary of State thinks the right hon. Member has been misled by the title of the Report. The Report deals with indecent literature, as well as advertisements, and he hopes it may be possible to introduce legislation on the subject next session.

Factory Employment and Inspection.

MR. WALTER ROCH: I beg to ask the Secretary of State for the Home Department if he will give the number of males and females now engaged in employment coming under the Factory Acts; and the number of male and female factory inspectors employed by the Home Office in inspecting such factories.

MR. HERBERT SAMUEL: The figures for 1904, which are the latest available, give 3,116,726 men and 1,737,821 women employed in factories and workshops, excluding workshops in which men only are employed, and excluding docks and other premises, which only come within the Act for the purposes mentioned in Sections 1904–1906. The Home Office has no Returns of persons employed in these places· There are 172 men-inspectors of all classes, and 15 women-inspectors; 10 more men and 3 more women-inspectors are to be appointed to complete the authorised strength.

Weights and Measures Acts.

MR. BRUNNER (Lancashire, Leigh): I beg to ask the President of the Board of Trade whether he will grant a Return showing the number of stamping-stations under the Weights and Measures Acts which are located on premises licensed for the sale of intoxicating liquor.

The next Question on the Paper was as follows:—

MR. BRUNNER: To ask the President of the Board of Trade whether his attention has been called to the fact that stamping stations under the weights and measures Acts are frequently on premises licensed for the sale of intoxicating liquor; and whether he will issue a circular to local authorities pointing out that this practice is undesirable.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I propose to answer this Question and that appearing next on the Paper together. The Weights and Measures Regulations provide that unless no other suitable promises are available a stamping-office shall not be on premises where intoxicating liquors are sold. Some latitude is necessary on account of the difficulty of finding suitable temporary premises in small villages, and from certain information in my possession, of which I will furnish my hon. friend the details it he wishes, it would seem that 19 county authorities possess among them 231 stamping-stations on licensed premises. Altogether there are 1,000 stamping-stations in these counties. I propose to obtain more complete information, and where the number of stamping-stations on licensed premises appears on the face of it to be excessive, the attention of the authority will be called to the matter. When the information is complete I will consider the desirability of issuing a Return.

MR. BRUNNER: I beg to ask the President of the Board of Trade whether the Board of Trade has raised any objection to the use of police-stations as stamping-stations under the Weights and Measures Acts.

MR. CHURCHILL: The Board of Trade have no objection to the use of police stations as stamping-stations provided the accommodation is adequate.

Unemployment in London.

MR. LEVERTON HARRIS (Tower Hamlets, Stepney): I beg to ask the President of the Local Government Board what number of unemployed have been registered with the distress committees of London up to the present time; and for how many has work been found.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The number of the unemployed registered with the distress committees in London up to the 5th instant was 38,678. The number employed on work provided or aided by the Central (Unemployed) Body up to date is 4,185. In addition, I find from some inquiries I have made that at the beginning of the month upwards of

3,200 men had been provided with work by certain of the metropolitan borough councils.

MR. LEVERTON HARRIS: I beg to ask the President of the Local Government Board how many persons are registered as unemployed in the borough of Stepney at the present time; how many were registered at the same date last year; and for how many has work been already provided.

MR. JOHN BURNS: The number of persons registered as unemployed in the borough of Stepney on the 8th instant was 1,427. The number for whom work has been provided is 244. The number registered at the same date last year was 270.

Births and Deaths.

MR. JESSE COLLINGS: I beg to ask the President of the Local Government Board if he will state the number of births and the number of deaths which took place inthe United Kingdom during the year 1906 and the year 1907, thereby showing the natural increase of the population in each of the two years named.

MR. JOHN BURNS: The number of births in the United Kingdom in 1906 was 1,170,622, and of deaths 681,343, giving an excess of births over deaths of 489,279. In 1907, the figures were: births, 1,148,573; deaths, 678,822; giving an excess of births over deaths of 469,751.

Distress at Stoke-upon-Trent.

MR. JOHN WARD: I beg to ask the President of the Local Government Board whether he has received an application from the town council of Stoke-on-Trent to reconsider his refusal to allow such council to establish a distress committee under the Unemployed Workmen Act; and, if so, what action, if any, he proposes to take in the matter.

MR. JOHN BURNS: I am in communication with the town council on the subject. I caused a letter to be written to them on the 5th instant, asking what works they have in hand upon which, if a distress committee were established, men registered under the Act could be given employment, and I am now awaiting their reply.

Longton Town Council and Unemployment.

MR. JOHN WARD: I beg to ask the President of the Local Government Board whether he has received a resolution from the Longton Town Council, supporting the proposals contained in the Unemployed Workmen Bill, 1908, and requesting that his Department should give immediate facilities for passing a similar Bill into law; and whether he has received resolutions similar in character from other local bodies; and, if so, how many.

MR. JOHN BURNS: I do not find that I have received any resolution passed by the Longton Town Council with reference to the Unemployed Workmen Bill, 1908, or that resolutions from other local bodies have reached me referring specifically to this measure. I have, however, received resolutions from five town councils, twenty-one urban district councils, five rural district councils, four boards of guardians, and five distress committees in support of the Unemployed Workmen Bill introduced by the hon. Member for Leicester in 1907, and several of these refer to any other measure dealing with the same matter.

Seamen and Pensions.

MR. CATHCART WASON: I beg to ask the President of the Local Government Board if a seafaring person occupying a small holding, his wife and family cultivating the holding in his absence, will be debarred from the old-age pension scheme by reason of his absence at sea; and, if so, if he will state what length of absence constitutes disqualification.

MR. JOHN BURNS: The condition for the receipt of a pension imposed by the Old-Age Pensions Act, 1908, that a person must have had his residence in the United Kingdom for at least twenty years up to the date of the receipt of a pension, is not infringed by temporary absences, if before the absences he was living in the United Kingdom, and throughout the absences he was serving on board a vessel registered in the United Kingdom.

Hampstead Telephone Exchange.

Mr. BELLOC: I beg to ask the Postmaster-General whether he is aware that the manager of the Hampstead Telephone Exchange has specifically refused to subscriber No. 1253 any definite information as to the cause of a delay of twenty minutes upon Sunday, 11th October last, during which delay the exchange, though there was no breach in the electrical communication between it and the subscriber, failed to attend to his call; and will he say what action he proposes to take in the matter.

The POSTMASTER-GENERAL (Mr. Sydney Buxton, Tower Hamlets, Poplar): It is not the case that the manager of the Hampstead Telephone Exchange declined to furnish any information to the subscriber mentioned. My hon. friend has apparently been misinformed, as the manager has been in correspondence with the subscriber in question in regard to the matter, and has given an explanation of it. There does not seem to be any necessity, therefore, to take any further action.

Mr. BELLOC: Does the manager say he gave an explanation?

Mr. SYDNEY BUXTON: Certainly.

Mr. BELLOC: I have the letter in my pocket in which he says he will not.

Mr. SYDNEY BUXTON: The hon. Gentleman had better let me see it.

American Mails.

Captain DONELAN (Cork, E.): I beg to ask the Postmaster-General whether he is aware that the American mail carried by the "Lusitania," which arrived at Queenstown on Tuesday, 1st December, was taken on to Liverpool with the result that the letters were not delivered until Thursday morning, rendering it impossible for replies to be sent before the following Sunday; whether he is aware that, if this mail had been landed at Queenstown and despatched by special train, these letters would have been delivered in London early on Wednesday afternoon in time for replies by the outgoing Thursday steamer, thus obviating a delay of three days; and can he say why this mail was not landed at Queenstown.

Mr. SYDNEY BUXTON: If the mails had been landed at Queenstown they would have reached London about 6 p.m. on Wednesday the 2nd instant, too late for delivery in business hours. The "Lusitania" was delayed by fog off the Mersey. Otherwise the mails would have reached London by 1.30 p.m., or four and a half hours earlier than if landed at Queenstown. The decision to send them on in the packet to Liverpool was arrived at after consultation with the Cunard Company.

Captain DONELAN: Is the right hon. Gentleman aware that the mails carried by the "Celtic," which arrived at Queenstown on the previous Sunday, were also taken on the "Lusitania" and that both ship and mails were held up for twenty-four hours by the fog? Did not this affect some 4,000 bags of mail?

Mr. SYDNEY BUXTON asked for notice.

Captain DONELAN urged the right hon. Gentleman, in view of the vast commercial interests involved, to direct that the special train service for Queenstown should be made use of in such cases and that Queenstown should have fair play in this matter.

Foot-and-Mouth Disease.

Mr. R. HARCOURT (Montrose Burghs): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what States in the United States are now scheduled as infected with foot-and-mouth disease; and whether the port of Boston is still free.

The TREASURER of the HOUSEHOLD (Sir Edward Strachey, Somersetshire, S.): Foot-and-mouth disease has been declared to exist in the States of Pennsylvania, New York, Maryland and Michigan, and regulations have been made by the Federal Government prohibiting the movement of cattle from those States. The orders of the Board prohibit the importation of animals from the States of Pennsylvania, New York, New Jersey, Maryland and Delaware. Boston is still a free port.

AN HON. MEMBER: Will the Board adopt in Europe the same system as prevails in the United States and schedule the States separately?

SIR EDWARD STRACHEY: I explained the other day that the conditions in Europe and America were entirely different.

The Fertilisers and Feeding Stuffs Act.

MR. ESSEX (Gloucestershire, Cirencester): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many and which counties, if any, have not appointed official samplers in pursuance of the provisions of the Fertilisers and Feeding Stuffs Act, 1906.

SIR EDWARD STRACHEY: All county councils have appointed official samplers.

Small Holdings in Kent.

MR. GEORGE ROBERTS (Norwich): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture whether he is aware that the Kent County Council is negotiating for the acquisition of the dairy farm at Crockham Hill under the Small Holdings and Allotments Act, 1907; that the official surveyor to the county council is acting for the owner of the farm as well as for the council; and that applicants for land are asked by the surveyor to pay a rent of 25s. an acre, whereas the present tenant pays only 10s. an acre; and whether he can take steps to prevent the same person acting for both parties in these negotiations, as this practice must militate against small holdings being supplied at reasonable rates.

SIR EDWARD STRACHEY: The Board are aware of the negotiations to which my hon. friend refers, but they understand that the surveyor to the council is not acting also for the owners of the farm. A proposal to appoint a salaried agent who will devote his whole time to the work arising under the Act is now under the consideration of the county council. Until the negotiations with respect to the acquisition of the land are further advanced, it is not possible to say at what rent it will be possible to let the small holdings which it is proposed to create.

Post Office Cheques.

MR. WALTER ROCH: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been called to the successful working of Post Office cheques in Austria-Hungary; and whether, seeing that the same system might be of great assistance in agricultural and rural districts, the Board of Agriculture will confer with the Postmaster-General with a view to introducing the same system in this country.

SIR EDWARD STRACHEY: Yes, Sir, the President will take an early opportunity of conferring on this matter with my right hon. friend the Postmaster-General.

American Farm Inquiry.

MR. WALTER ROCH: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if his attention has been called to the committee appointed by President Roosevelt to investigate and make suggestions as to the ways in which the social, sanitary, and economic connitions of American farms can be improved; and if the Board of Agriculture intend to proceed on the same lines, or to initiate legislation, or take other steps to assist agriculture generally in this country.

SIR EDWARD STRACHEY: The Board are aware of the appointment of the Commission to which my hon. friend refers. They will carefully study its Report as soon as it is published.

Charity Lands and Allotments.

MR. JESSE COLLINGS: I beg to ask the hon. Member for the Barnstaple

Division as representing the Charity Commissioners, if he will state how much charity land, in how many allotments, has been let to the labouring classes under the Allotments Extension Act, 1882.

Mr. SOARES (Devonshire, Barnstaple): The Charity Commissioners are anxious that charity land should be let in allotments whenever it is desired, and in all recent cases where complaints have been made to them they have taken steps to see that the Allotments Extension Act, 1882, should be carried out, but they have not found it practicable with the limited staff at their command, to require from the trustees of every charity which is subject to the Act particulars of the extent and number of the allotments let under its provisions. They are therefore not in possession of the information asked for by the right hon. Member.

Mr. JESSE COLLINGS: Cannot the hon. Gentleman get the information?

Mr. SOARES: I am afraid that to communicate to all trustees of charity lands would involve the expenditure of a great deal of time and money.

Mr. ESSEX: Does the Act referred to in the Question place any difficulty in the way of thus dealing with charity lands?

Mr. SOARES: No, Sir.

Scottish Fishery Regulations.

Mr. HARWOOD (Bolton): I beg to ask the Secretary for Scotland whether he will consider the advisability of altering the bye-laws and regulations of the Scottish Fishery Board which prevent British vessels from going to some of the best trawling grounds, whilst leaving them open to foreign trawlers so long as they keep outside the three-mile limit.

The SECRETARY for SCOTLAND (Mr. Sinclair, Forfarshire): The policy of the Government on this matter was stated by the Prime Minister in reply to a Question by the hon. Member for Great Grimsby on 4th November, and I have nothing further to add.

Mr. WATT: While the Question is pending cannot the right hon. Gentleman see his way to placing Britishers on the same footing as foreigners?

[No Answer was returned.]

Dublin Crown Jewels.

Mr. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, in view of the belief of the Vice-Regal Commissioners appointed to investigate the charge of neglect of Crown Jewels stolen from Dublin Castle last year, as expressed in their Report, that the Government were already, before that partial inquiry began, in possession of all the information the Commissioners were empowered to elicit, will he state why no inquiry has yet been instituted with power adequate for a criminal investigation of the theft, with a view to the conviction of the thief and recovery of the stolen articles.

I beg also to ask the Chief Secretary to the Lord-Lieutenant of Ireland, having regard to the complete failure of the Vice-Regal Crown Jewels Commission to do anything towards recovery of the jewels stolen from Dublin Castle or towards identification of the thief, and the general desire that a criminal investigation on oath for these purposes should be held, whether he will give the House his reasons for refusing such an investigation.

The CHIEF SECRETARY for IRELAND (Mr. Birrell, Bristol, N.): I have dealt fully with the subject of these Questions in the numerous replies which I have already given and in particular in my reply to the hon. Member for St. Pancras East on 1st June last. I have no intention of reopening the matter.

Irish Land Purchase.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the total number of sales effected to tenants under the Land Purchase Acts prior to 1st November, 1903; the general average number of years' purchase advanced under those Acts; the number of cases in which the Land Commission refused to sanction the advance of the full purchase price at which the tenant had agreed to purchase their holdings; the total number of sales sanctioned under the Act of 1903 to 1st November, 1908; the general average number of years' purchase sanctioned under this Act; and the number of cases in which the Estates Commissioners have refused to sanction the advance of the full purchase price at which tenants had agreed to purchase their holdings.

Mr. BIRRELL: As regards the first part of this Question, the hon. Member will find the information he requires in the recently issued Irish Land Purchase Acts Return [Cd. 4412] and in the Returns moved for by the hon. Member for Cork and the hon. Member for North Cork which will shortly be laid on the Table. The Land Commission are unable to state in regard to proceedings prior to the Act of 1903, the number of cases in which they refused to sanction the full purchase money agreed to, but the cases so refused under the Act of 1903 by the Estates Commissioners will be found in Table 7 appended to their last Annual Report.

Teaching of the Irish Language.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, notwithstanding the stringency of the regulations governing the payment of extra fees for the teaching of Irish in national schools, there is nothing in these regulations prescribing a maximum to the expenditure that may ultimately be reached for this service; and if he will state whether the Irish Government and the Treasury propose to take this matter into consideration and fix a limit.

Mr. BIRRELL: I am not at present aware of any reason why the existing arrangements with respect to these fees should be reconsidered.

Outrages in Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the number of agrarian crimes of firing at the person and firing into dwellings during the period of ten months ended 31st October, namely seventy-one, is greater by sixty than in the year 1905, and greater also than in any previous year since 1882; and if he will state whether it is his intention to adopt the measures which have proved so efficacious in past years in diminishing this form of crime.

Mr. BIRRELL: The facts are as stated in the first part of the Question. In reply to the hon. Member's concluding inquiry I would refer him to my Answer to his Question of 19th October.

Mr. LONSDALE: But has not the number of shooting outrages increased in the last year?

Mr. BIRRELL: I have answered that Question.

Mr. CHARLES CRAIG (Antrim, S.): Is it not the fact that immediately on the repeal of the Crimes Act the number of outrages began to increase and continued to increase from that moment?

Mr. BIRRELL: I do not think that is so.

Mr. CHARLES CRAIG: But it is so.

Mr. J. MACVEAGH: Is it not the case that the increase in the outrages is owing to the fact that in the north of Ireland they manufacture a lot of bad whisky which is sold elsewhere?

Mr. P. MEEHAN (Queen's County, Leix): May I ask if included in the Return is the case in which four Protestant planters fired on two Catholic peasants in my county last May?

*Mr. SPEAKER: Notice should be given of that.

Lord Clinton's Cork Estate.

Mr. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mrs. Mary Daly has applied to the Estates Commissioners several times for reinstatement in her late husband's farm on Lord Clinton's estate, County Cork, from which he was evicted in 1888; and whether any steps have been taken by the Commissioners to consider her application.

Mr. BIRRELL: The Estates Commissioners have received from Mrs. Mary Daly an application for reinstatement in a farm which is in the occupation of another tenant. Mrs. Daly's application will be considered in connection with the allotment of untenanted land to be acquired by the Commissioners.

Devlin Labourers' Cottage Scheme.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that an approved scheme for labourers' cottages with plots, promoted by the Devlin District Council, comprised three for James Ward, Michael Fagan, and Patrick Morgan, on the part of Windtown ranch nearest to Castlepollard and to these men's usual place of work; that no opposition was offered to these sites at the inquiry and that they were duly mapped; that afterwards the Local Government Board, without consulting either the district council or the labourers, cancelled the sites that had been chosen without opposition and offered sites on the other side of the ranch, where they cannot be accepted, there being no work available there for the men, the place being a mile and a half further away from their place of work and the district council being unwilling to erect cottages there; and, in view of the hardship to those men, all of whom are paying for lodgings and two of whom have families, whether he will ask the Board to reconsider the matter and have the cottages erected forthwith on the sites regularly selected.

Mr. BIRRELL: The Devlin Rural District Council proposed to provide three cottages as stated. No opposition was offered at the local inquiry, but the inspector did not consider that the necessity for the cottages was established, and he therefore excluded them from his Order. The Local Government Board did not intervene. Certain other sites at Windtown were disallowed by the inspector, as the taking of them would have injured the farm for the purposes of sale. A tract of land in lieu of the sites so disallowed has now been offered by the Estates Commissioners to the council and accepted. It will be dealt with in a further scheme. The Local Government Board have no power to reconsider the matter, or to have the cottages erected on the original sites.

Strabane-Letterkenny Railway.

Mr. C. MACVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the grievance of the ratepayers in the guaranteeing area of the Strabane to Letterkenny Railway, East Donegal; whether he is aware that the rate is levied on the area and the railway lying dormant and unopened for traffic, though completed for many months; and whether he will inquire into the cause of the delay and take steps to have the line opened for the accommodation of the public, or prohibit the collection of rates to pay a guarantee to a non-working railway.

Mr. BIRRELL: The Act authorising the construction of this line provides that the payments under the guarantee which the county is empowered to give shall run from the date of issue of certain proportions of the capital of the company. I have no power to interfere with the collection of rates for the purpose. As regards the opening of the line, I would refer the hon. Member to the reply given to him by my right hon. friend the President of the Board of Trade on 5th November. I understand that the Board are still awaiting a communication from the railway company.

Mr. Boyle's East Donegal Estate.

Mr. C. MACVEIGH: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the case of Joseph James Sayers, of Magheracorn, near Convoy, East Donegal, on the estate of Alexander Boyle, and another, which was sold to the tenants before the Act of 1903, whether he is aware that Sayers, owing to arrears of rent, was unable to buy with the other tenants, but, after the Act of 1903, he was in a position to purchase and signed and lodged an agreement before the sale to the other tenants was completed; whether he can say why the Commissioners refuse to include

Sayers' holding in the sale of the estate to the tenants; and whether, in view of the landlord's title having been fully investigated, and Sayers by settling with him having brought himself within the scope of the Land Acts, he will ask, if the Commissioners do not include him in the original sale, that they will declare his holding a separate estate and allow the sale to be completed.

MR. BIRRELL: Proceedings for sale in this case were instituted under the Land Purchase Acts prior to 1903, and the agreement signed by Sayers to purchase his holding for £653 was refused by the Land Commission in 1899, on the ground of insufficient security. Sayers subsequently agreed with his landlord to purchase the holding for £660 under the Irish Land Act, 1903, but the Estates Commissioners refused to declare the holding to be a separate estate.

Bloomfield Estate, Castlecaldwell.

MR. SWIFT MACNEILL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether care will be taken in respect to the distribution into holdings of the farm of Mr. Leonard Cannon, which closely adjoins the Bloomfield estate, Castlecaldwell, and which has been bought by the Estates Commissioners, having respect to the congested condition of the neighbourhood, that due regard will be had to the needs of local tenants.

MR. BIRRELL: The Estates Commissioners have intimated by notice in the *Dublin Gazette* their intention of acquiring compulsorily 115 acres in County Fermanagh, the property of Mr. Connell [Cannon. The Commissioners propose to use these lands, if acquired, for the purpose of the Evicted Tenants Act.

MR. SWIFT MACNEILL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the demesne lands, comprising about 500 acres, of the Bloomfield Estate, Castlecaldwell, owned by the Life Association of Scotland, was sold separately from the rest of the estate to the Estates Commissioners last September, but that the deeds of conveyance cannot be obtained till March next; whether he is aware that a very large proportion of this demesne land consists of land from which tenants have been evicted, and that these tenants or their representatives are now eagerly awaiting restoration to their old holdings; whether he will be able to obtain or to give information of the acreage of each holding from which a tenant has been evicted; whether the Estates Commissioners propose to reinstate in their holdings those evicted tenants, and if the residue of the demesne lands will be kept as meadow for the poor mountain tenants on this estate, who have no other means of raising hay for their cattle during the winter; and whether, having regard to the fact that the tenants on this estate are congested and require these demesne lands, on which there is no residential mansion, care will be taken to provide for their accommodation prior to the bringing of other evicted tenants from other parts of Fermanagh, and to secure that the proceedings for the restoration of the former tenants be expedited.

MR. BIRRELL: The Estates Commissioners have not purchased this estate, but proceedings for its sale have recently been instituted under Section 6 of the Irish Land Act, 1903. Until the property has been inspected and reported on, the Commissioners will not be in a position to make arrangements as regards the demesne land.

MR. SWIFT MACNEILL: Will the right hon. Gentleman get these proceedings expedited?

MR. BIRRELL: I always do my best, but I cannot be interfering with the Commissioners every day of the week.

Land Purchase in Limerick.

MR. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say what was the average price paid for the purchase of land all over Ireland from the year 1885 to the year 1903, and what was the average price paid in the county of Limerick during the same period; and what was the price paid all over Ireland from November, 1903, to the latest date of return and during the same period in the county of Limerick, that is, the average price paid under the present Land Purchase Act, this word price meaning the number of years purchase.

MR. BIRRELL: I must ask the hon. Member to await the issue of the Return ordered on the 7th instant, on the Motion of the hon. Member for Cork, which will shortly be laid on the Table. That Return will contain the information which he requires.

Cloncurry Evicted Tenants.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that there are hundreds of future or excluded tenants who lost their titles in their farms through evictions and other campaigns with landlords, as in the case of the Cloncurry tenants in Murroe, County Limerick, between the years of 1881 and 1887; and will those tenants be included with the tenants in Part V. of the present Land Bill, so as to have a fair rent fixed under the *status* of present tenants.

MR. BIRRELL: I have no means of ascertaining the number of future or excluded tenants who were evicted between 1881 and 1887. Part V. of the Irish Land Bill applies only to cases in which a present tenancy was determined after the passing of the Act of 1887.

Warnings to Irish Newspapers.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the result of the consideration given by the Law Officers of cases in which the warning given to certain newspapers against the publication of intimidatory resolutions of the United Irish League has had no effect; and what further action is to be taken in the matter.

MR. BIRRELL: It is not in the public interest that I should give any answer to this Question at present.

Verschoyle Estate, Donegal.

MR. SWIFT MACNEILL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the landlord and tenants of the Verschoyle estate, Dunkineely, County Donegal, a majority of whose tenants have holdings totalling over £5 valuation, agreed on a price for the sale of this estate, that agreements were lodged but that the Estates Commissioners refused to sanction the sale on the ground that the estate was congested, but having regard to the protest of the tenants against this decision, sent down an inspector, who, after examination, reported that the estate was not congested, but that, this Report notwithstanding, the Commissioners again refused to sanction the sale; and whether, having regard to the disappointment of both parties to the contemplated sale and the desirability of an immediate settlement, steps will be taken to secure that the agreement which both parties desire to be carried out may be completed.

MR. BIRRELL: The Estates Commissioners inform me that purchase agreements were entered into between the owner of this property and his tenants with a view to a direct sale under the Irish Land Act, 1903. The Commissioners, however, refused to declare the lands in their present condition to be an estate, the property appearing to be congested within the meaning of Section 6 of the Act. The statement that the inspector reported that the property was not congested is not correct. The Commissioners cannot see their way to depart from their decision.

Dublin Royal Canal.

MR. GINNELL: I beg to ask the President of the Board of Trade whether he is aware that the Midland Great Western Railway Company of Ireland are again seeking power to destroy a section of the Royal Canal at Dublin; whether he will allow that proposal to be entertained until the board of control of the Royal Canal has been consulted; whether a meeting of that board is due to be held immediately after each statutory meeting of the railway company; and whether he will ascertain when the last meeting of the board was held.

MR. CHURCHILL: I am aware that the railway company are promoting a Bill for next session, providing amongst other things for the abandonment of a portion of the Broadstone branch of the canal and the matter will therefore be one for the decision of Parliament. The board of control is not in my jurisdiction, but I have ascertained that there is no obligation on them to meet immediately after each statutory meeting of the company, but that a meeting of the board will be held on the 14th instant. Their last meeting was on 24th April, 1907.

MR. GINNELL: Is the right hon. Gentleman aware that the Irish Board of Works in a recent Report declare that this railway company is not discharging its legal obligations? Will he require it to do so?

MR. CHURCHILL: I do not think I will give any pledge as to coercing any Irish Board until I have had an opportunity of considering the matter.

The Scottish Peerage.

CAPTAIN ARTHUR MURRAY (Kincardineshire): I beg to ask the First Lord of the Treasury whether he is aware that of the thirty-two Scottish Peers who are not hereditary Peers of Parliament sixteen only are Representative Peers, the remaining sixteen being without the franchise and debarred from entering either House; and whether, having regard to the fact that a Liberal Scottish Peer has little chance, owing to his political opinions, of being elected as a Representative Peer, he will consider the propriety, when introducing a Reform Bill, of so amending the Act of Union as to enable non-representative Scottish Peers to become eligible for election to the House of Commons.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware that in addition to the thirty-two Scottish Peers mentioned in the Question, there are fifty others who are Peers of the United Kingdom, and accordingly take part, although they are Peers of the United Kingdom, in the Scottish elections; and in the proposed reform Bill, will he do his best to deal with these noble fagot voters?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): My hon. and gallant friend's inquiry opens up a very wide field. I will consider the point raised.

MR. JAMES HOPE (Sheffield, Central): Could not the right hon. Gentleman see his way to getting over the difficulty by adopting *in toto* the suggestions of the House of Lords' Reform Committee?

MR. WATT (Glasgow, College): Will the right hon. Gentleman introduce legislation, at an early date, to put Scotsmen on the same level as Irishmen?

[No Answer was returned.]

REMISSION OF SURCHARGES (DUBLIN) BILL.

Ordered, That the Examiners of Petitions for Private Bills do examine the Remission of Surcharges (Dublin) Bill, with respect to compliance with the Standing Orders relative to Private Bills.—(*Mr. Nannetti.*)

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection: That they had discharged the following Member from Standing Committee A (in respect of the Poisons and Pharmacy Bill [Lords]): Colonel Seely; and had appointed in substitution (in respect of the said Bill): Mr. Atherley-Jones.

Report to lie upon the Table.

LAW OF DISTRESS AMENDMENT BILL.

Lords' Amendments to be considered upon Monday next, and to be printed. [Bill 399.]

MESSAGE FROM THE LORDS.

That they have agreed to—

Incest Bill, with Amendments.

BUSINESS OF THE HOUSE.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) rose to move: "That for the remainder of the session, Government business be not interrupted under the provisions of any standing order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11." He said: This Motion is usual, and indeed inevitable, at this stage of the Parliamentary session. In asking its acceptance by the House, I think I may fairly claim that during the autumn sittings, and, indeed, during the whole of this long session, the Government have made a very sparing use of the power of the majority to suspend the Eleven o'clock Rule. I am one of those who think, very strongly, that it is not desirable that our normal hours of sitting should be altered, except on special occasions and under the pressure of some particular emergency; and by adhering, so far as we have been able, to the ordinary arrangements we have adopted the plan which conduces, more than any other, to facilitate the transaction of Parliamentary business. But there always comes a time when it is necessary, for the purpose of winding up our business, that there should be an extension of the ordinary time available, and it is for that purpose that I make this Motion. It is customary and proper on such an occasion to make a brief statement, partly by way of review and partly by way of prospect, of the business of that part of the session with which we are now concerned. As the House is aware, the principal measure which has been the subject of discussion during the autumn sittings—I refer to the Licensing Bill—has, since we last took leave of it, met elsewhere a fate which has befallen many other useful measures. I reserve anything I may have to say, and there is a good deal to be said, in regard to that incident to a more appropriate occasion. I need also only make a passing reference to the disappearance of the Education Bill, to which we devoted in these sittings a substantial amount of time. There remain a number of measures which we still hope will receive, before Parliament is prorogued, the Royal Assent. I will mention six in particular to which the Government attach great importance. The first is the Children Bill, which only awaits in this House the consideration of the Lords' Amendments. The second is the Scottish Education Bill, which is now under consideration in another place, and in regard to which any Amendments that are made there will have to be considered here. The third is the Prevention of Crime Bill, which is in the same position. Next I come to the Housing of the Working Classes (Ireland) Bill, a useful measure which has passed the House of Lords, and in regard to which also we have only to consider the Amendments of the Lords. The remaining two are measures which have not yet left this House—the Port of London Bill, with which I hope at eleven o'clock to-night my right hon. friend will be able to make further progress, and the Mines (Eight Hours) Bill, the Report stage of which will commence as soon as this Motion is agreed to. There are also some measures of less prominence which we hope to pass, as they are mainly departmental or of a non-controversial kind, and appear on the Paper numbered 6 to 15. Among them are the East India Loans Bill and three Scottish Bills—Summary Jurisdiction (Scotland) Bill, Local Government (Scotland) Bill, Crofters' Commons Grazings Regulation Bill—which have passed the Committee stage. Then comes the Hops Bill, introduced by my right hon. friend the Chancellor of the Exchequer yesterday, as to which I will only say that we are anxious to see it passed into law, if there be general agreement about it, but unless there is that general agreement it must be speedily withdrawn. Then there are five other Bills which have come from the Lords, none of which raises any party or, I think, departmental controversy — Appellate Jurisdiction Bill, Lunacy Bill, Post Office Consolidation Bill, Companies Consolidation Bill, and Post Office Sites Bill—which we also confidently hope will receive the Royal Assent before the prorogation. There are two other Bills which are now before Select or Standing Committees—the Poisons and Pharmacy Bill, which was read the second time here the other night; and the Statute Law Revision Bill, which comes down from the House of Lords—and which we also expect to place on the Statute-book. There is one further measure of a similar class which is numbered 36 on the Paper, the Post Office Savings Bank (Public Trustee)

No. 2 Bill, and takes the place of a Bill previously introduced, No. 35 on the Paper. I come next to another category of Bills which have to pass their remaining stages and in regard to which we shall not take any effective steps if they meet with more opposition than we anticipate; they appear under Nos. 16 to 20 inclusive on the Order Paper, the Provisional Order Procedure Bill, Commons Bill, Criminal Appeal Amendment Bill, Constabulary (Ireland) Bill, and Tuberculosis Prevention (Ireland) Bill; and I may add there are two other Bills, the only private Member's Bills to which we propose to give facilities, and only to these if satisfied there is general agreement to them, the Ferries (Ireland) Bill, and a Bill which does not appear on this Paper, which has passed all its stages in the House of Lords and for which the hon. Member for a division of Buckinghamshire is responsible—the Law of Distress (Amendment) Bill, subject of course to the same conditions. There are also Bills—I think I need only mention they are not controversial and we propose to include them in the facilities—the three charity Bills, Buxton, Long Ashton, and Abbots Bromley. Now I pass to a more painful branch of my subject, the Bills we propose not to press during the remainder of the present session, and they appear on the Order Paper numbered 22 to 31 and include, as I have said, 35 also. I will mention two of them especially, the Irish Land Bill and the Trawling in Prohibited Areas Prevention Bill. To the great regret of the Government we regard it as not possible to make such progress with these during the session as to give a reasonable chance of their being placed on the Statute-book this year. I need hardly say that in arriving at this conclusion there is no want of interest on our part in the future fortunes of the Bills, and we shall do our best to carry them into law as soon as may be. One other measure I must allude to, for it is of great importance, the Housing and Town Planning Bill, introduced by my right hon. friend the President of the Local Government Board. It was our expectation, our very strong and confident expectation, that this Bill would pass during the present session. Hon. Members interested in the subject have, as the House knows, given an enormous amount of time and attention to the Bill during twenty-three sittings of the Standing Committee upstairs, and we had great hope of its passing into law. But, undoubtedly, on the Report stage serious considerations with consequent discussion must arise from the complexity of the subject, and drafting Amendments of considerable magnitude must inevitably be made, giving rise to considerable debate, with the result that it might very well be that the Bill could not reach another place at such a time before prorogation as to allow of the consideration its importance requires. I do not now go into a question—I do not desire to do so—upon which there is a variety of opinion on both sides of the House, and as to which I do not think that either front bench, if the members were consulted, would be in complete agreement—the question of the desirability of carrying over Bills. I myself have always maintained an opinion in favour of it—it is my personal opinion as an individual only—with some well-considered machinery for the purpose. But in holding that view, I am conscious that I am taking up a position that was strenuously opposed by no less a Parliamentary authority than the late Mr. Gladstone and which, carrying as it does with it, if it is once brought into practical operation, a number of far-reaching consequences that require to be carefully thought out. I do not ask the House to adopt hastily, and without the fullest consideration of its constitutional aspects, in regard to one specific measure, ardently as we desire to see that measure carried through. In regard to this Bill, in which we are interested, we propose, without raising the larger question, a course which we hope may meet with general assent—to withdraw it this session and to re-introduce it at the earliest possible moment after the re-assembling of Parliament, when, having regard to the fact that its details have received most careful consideration in Standing Committee during twenty-three days, we may curtail the Committee stage within as narrow dimensions as may be reasonably possible, and in this way we may hope to get the Bill into the House of Lords at a very early date next session. That House will then have full opportunity for considering the provisions of the Bill, and it may pass into law at an early date. I believe that in the circumstances this will be the best course to take in the interest of the measure itself, reluctant as I and my colleagues are to abandon the hope, long entertained, that before Christmas the Bill would be passed. The House will naturally desire to know, that being our amended programme, what business is to be taken between now and the prorogation. I have already said we propose to-night, at or about eleven o'clock, to adjourn the consideration of the Eight Hours Bill, and then to make further progress with the Port of London Bill, in order that it may reach another place at the earliest possible day. To-morrow we shall proceed with the Report stage of the Eight Hours Bill, and at eleven o'clock, or when that stage comes to an end, we hope to take the Committee on the East India Loans Bill.

MR. A. J. BALFOUR (City of London): Does the right hon. Gentleman propose to finish the Report of the Eight Hours Bill then?

MR. ASQUITH: We hope to do so. I do not know whether we shall succeed in doing so, and to take the Third Reading on Friday. Such is our hope; whether it will be realised remains to be seen. If that hope is realised, if we take the Third Reading on Friday, we should occupy the time that may remain before five o'clock with the Lords' Amendments to the Housing of the Working Classes (Ireland) Bill, unless they are previously disposed of. Assuming that we are successful in getting through that business this week we shall on Monday take the Lords' Amendments to the Children Bill, and I understand that the Chairman of Ways and Means will in the evening ask the House to consider the London Electricity Supply Bill and a few other private Bills. On Tuesday we shall proceed with other Bills, and on Wednesday in pursuance of—I will not say a pledge—but of an expectation which has found expression more than once during the session, we propose to give half a day to discussion on the Report of the Public Accounts Committee. This is a matter that should form part of the business of every session. After that we shall then and on Thursday (17th) complete the stages of the Bills, a list of which I have already read. I trust—and here, again, I am only in the region of hope, not of certainty — I trust that on Friday (18th) the House will be in a position to come face to face with prorogation, but on this I cannot make any definite statement or give any specific assurance until we see what progress is made with business. I do not know whether I have made my statement clear and complete, but I am ready to answer any further inquiries.

Motion made, and Question proposed, "That, for the remainder of the session, Government Business be not interrupted under the provisions of any Standing Order regulating the Sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11."—(*Mr. Asquith.*)

MR. A. J. BALFOUR: With regard to the interesting statement of the right hon. Gentleman I have only to comment on three points. I understand that he proposes to bring within the period before prorogation not only discussion of Amendments that come to us from another place, but he has given us a list of a large number of Measures he hopes to carry through—no less than twenty-six Bills. [AN HON. MEMBER: "Twenty-eight."] My hon. friend says twenty-eight. His enumeration may be more accurate than mine; at all events, twenty-six is the minimum on the list. Though I am not in a position to forecast the practicability of this programme, to ask us in the course of five or six days to pass no less than twenty-six Bills does appear at first sight and in the absence of closer examination of the Bills to impose a task almost impossible for the House to accomplish. Time will show whether the right hon. Gentleman is too ambitious in deciding upon the passing of these twenty-six Bills in addition to the disposing of the other business he has mentioned before we part for the Christmas holidays. Then the right hon. Gentleman, in order to carry out this ambitious programme, asks for the suspension of the eleven o'clock rule.

I quite admit that the right hon. Gentleman is justified, within bounds, in making that request. When, however, he boasts that he has been more than usually anxious to keep to the normal hours of the House during the session, and that he has hardly ever asked us to sit beyond eleven o'clock, the hour which the modern House of Commons regards as the natural termination of its labours, I would remind him that he has asked us to suspend the rule no less than twenty times during the session, and if hon. Members will do a simple sum they will see that that is equivalent to asking us to suspend it during five Parliamentary weeks. While I make no complaint of the course which the Government has found itself obliged to adopt with regard to the suspensions of the rule, I do not think the figures I have given show any particular reason for the self-congratulation which the right hon. Gentleman has bestowed on himself and his colleagues on that bench. The only other point connected with the speech of the right hon. Gentleman to which I need refer relates to his observations with regard to carrying over. There is great difference of opinion with regard to carrying over, and I do not mean to discuss the question in any detail. I am one of those who, differing from my hon. friends on this side of the House, have been in favour of carrying over, and I remember drawing a report in favour of carrying over embodying a scheme which was ultimately passed by a bare party majority in a very important Committee of this House appointed to deal with the question. It was a very strong Committee, and the parties were very evenly divided. Included upon it were Mr. Gladstone, Sir William Harcourt, and other very high authorities upon the other side of the House—great authorities in Parliamentary procedure — and those high authorities resisted my scheme at every stage and presented a counter-report of the strongest kind; and the ultimate report I ventured to lay before the Committee was only carried by the bare party majority on the Committee, every single member of the party represented by the present Government voting strenuously against the suggestion I laid before them. I do not believe that the party of which I am a member was unanimously in favour of the scheme, although apparently the whole of the party opposite was unanimously against it. Whether there has been any change of opinion on the subject, I know not. Certainly, if the right hon. Gentleman opposite is a convert to the views which I pressed on the House ten or twelve years ago and which were so vehemently resisted by almost every single member of the party which he now leads, it is a very interesting fact in the development of Parliamentary institutions.

MR. ASQUITH: I have always held the same opinion.

MR. A. J. BALFOUR: Unfortunately the right hon. Gentleman was not on that Committee. If he had been, we could have carried the scheme by something more than a bare party majority. I think really those are all the observations I need make upon the business part of the statement the right hon. Gentleman has laid before us; but it has been customary for the Leader of the Opposition on occasions like this to make some survey of the work of the session, or part of the session, in which the Motion is made. I do not think it is necessary for me to do that, partly because the work does not seem to have led to very much practical fruit. I noticed with some interest that the right hon. Gentleman referred to the fate of the Licensing Bill in another place. He said that upon the subject of the rejection of that, and, I think he said, many other useful measures by the House of Lords he would have much to say on another occasion, but that this was not the occasion. I suppose the occasion the right hon. Gentleman refers to is an occasion when I shall not be present.

MR. ASQUITH: Will the right hon. Gentleman accept an invitation?

MR. A. J. BALFOUR: No doubt, Sir, if I were to attend all the right hon. Gentleman's public dinners, and he were to attend all mine, those entertainments would become even more popular than they are at present. But, on the whole, I am inclined to think that these postprandial occasions are more properly opportunities for delivering speeches not to be replied to than for carrying on debates for which this House is the proper arena. When this happy occasion comes to which the right hon. Gentleman looks so eagerly forward on which I shall not be present to applaud him, I suppose he will deliver one of those stormy attacks on another place to which we have become accustomed from time to time from Gentlemen who sit on that bench. We have had a good many of them in the course of the last three years. We have had Resolutions, I think, passed in this House which do not seem to me so far to have borne much fruit anywhere. But outside the House such speeches have been even more numerous. I think it was the Chief Secretary for Ireland who made the last one. I cannot follow all Ministerial utterances, but there was a very recent one by that right hon Gentleman, spoken, no doubt, from the fulness of his heart, and characterised not only by the eloquence which always characterises his speeches, but by more than his usual vehemence of statement. As I have said, I am not present to answer these attacks, and I shall not be present in the future; but I have noticed that by the beneficent dispensation of Providence there has always been a bye-election which comes immediately afterwards, and those by-elections afford a far more effective and satisfactory reply than the most eloquent statement I have it in my power to make, and a form of reply which everybody can understand. In these circumstances, although the right hon. Gentleman has deferred to a more appropriate occasion this philippic against the other Chamber, I confess that even the impossiblity of replying to him leaves me quite serene. I will only say one word more, and it is absolutely necessary to be said now that the autumn session is drawing to a conclusion. I do not think our time has been well spent during it, but it has been laborious. There is no doubt whatever that Members of this House have been extremely hard-worked, and, what I think much more important, His Majesty's Ministers and the Departments of State have been very hard-worked. I have always said, and I say again, that I think this habit of taking autumn sessions for really no adequate reason that I can discover is absolutely destructive of the proper working of either the legislative or the administrative Departments of the State. I am sure it is not good for the House of Commons; but whether it be good or not for the House of Commons, I know it is fatal to the proper preparation of business, the proper working out of Government Bills, and the proper dealing with the Estimates of the year. I do not ask hon. Gentlemen opposite to believe me when I say sincerely that, quite irrespective of my objection in principle to much the Government has done and has tried to do in the way of legislation, their habit of throwing into the compass of one Bill a series of different proposals, imperfectly cementing them together and imperfectly working out all the details and forcing the whole thing through by means of the closure by compartments, is totally destructive of the proper working of this deliberative Assembly. We do not have the details put before us in a proper shape, and we cannot put them into proper shape. That cannot be right. The Government undertake Bills of extraordinary difficulty which require immense working out. How is it possible for any Minister to work out a Bill either before he brings it into the House or to defend it when it is in the House when a Government are worked as this one are worked? There is the Prime Minister himself. I am quite sure he has been as anxious as any of his predecessors to be present in the House, not merely for debate, but for the conduct of Bills for which he as an individual is responsible. He was the Minister who introduced the Licensing Bill. He was the Minister who, at all events, sketched the Old-Age Pensions Bill. He was the Minister who was as largely responsible as the President of the Board of Education for the Education Bill. That is an immense amount of legislative work for any Prime Minister to undertake. But there is an enormous amount of work of which the public never know anything that every Prime Minister has got to undertake whether he likes it or not. What is the result? The right hon. Gentleman is only human. He cannot turn the twenty-four hours of the day into forty-eight, and he was

Mr. A. J. Balfour.

not present constantly at some of the most important debates on his own Bills. I think that is very unfortunate. It cannot be wholly avoided under any arrangement, but it is absolutely inevitable under the arrangement the Government have chosen to adopt. I do not wish to press the matter of the different Departments; but every Minister who has held office and is holding office knows how great is the work thrown on the public Departments by the mere fact that the House is sitting and that it insists on asking eighty or 100 questions every day. The work is enormous, and if you have got towards the end of February to produce not merely your Estimates for the year, not merely your Budget, but also to deal with vast and novel problems like the unemployed question, the Poor Law, and other such matters, I say the work cannot be done. I do not think it is right for us to separate without again making our protest against the abuse of autumn sessions by this Government. The last autumn session of any magnitude before this Government came into office was for the Education Act of 1902. That autumn session had to be held because we did not closure that Bill by compartments until it had been thirty-eight days in Committee. If we had adopted anything like the plan of the present Government we should have been saved that autumn session. I think at once to make us have autumn sessions and closure by compartments for every Bill in the autumn session is really a combination of evils which I hope will never be repeated either under the leadership of the present Prime Minister or any of his successors. I am afraid that in the annals of Parliament this long session will be looked back to as the one in which the habit of closuring great measures by compartments has become hopelessly confirmed. It is a session in which there has been more done in that way than in any previous one. It is a session in which the Government have adopted that plan as an ordinary expedient, and it is that culmination of the increasing use of that particular method of stopping debate which has made me and my friends think it is hopeless to protest any longer against it and we must acquiesce in it more or less as a general system, however much we may object to its application. That is a melancholy reflection with which to conclude the session, but I am afraid it is one thoroughly well deserved. Whatever else this session may have produced in the way of legislation, good or bad, the fruit of our labours at all events is one which I think utterly poisonous and pernicious, and I am sorry that it has fallen to the lot of the right hon. Gentleman who now leads us, in many respects with such distinguished ability, to have been the Minister under whose guidance and management this deplorable depth of Parliamentary imbecility has been reached.

Mr. JOHN REDMOND (Waterford) said he did not propose to indulge in any general topics on the Motion before the House. He had risen really for the purpose of asking the Prime Minister two questions, but before asking those questions perhaps he might be allowed to express the deep regret of the Irish Members at the announcement that it was apparently impossible to proceed this session before the end of the year with the remaining stages of the Irish Land Bill. The Leader of the Opposition was quite correct when he said the House of Commons had been hard worked this session, but, speaking for the Irish representatives, he could say that, notwithstanding that fact, they would have been quite willing to have sat on any time that was necessary in order to consider the remaining stages of this important measure. They heard with some satisfaction, although not with complete satisfaction, the emphatic statement made last night by the Chief Secretary to the Lord-Lieutenant, and they gathered from that statement, coupled with the declaration of the Prime Minister to-day, that it was the intention of the Government to re-introduce the Irish Land Bill immediately at the commencement of next session, proceed with it immediately, and pass it through all its stages in this House as rapidly as possible. He gathered that was the meaning of the statement which had just been made by the Prime Minister coupled with the declaration of the Chief Secretary last night. Although they were not satisfied, and although they would have been glad if the measure could have been proceeded with, under the circumstances they must rest satisfied with that pledge. The two particular questions he had risen to ask the right hon. Gentleman came within the category of Bills which he said could not be passed if there was any serious opposition, and he mentioned the Irish Constabulary Bill. He wished to ask the right hon. Gentleman whether he was aware that that Bill raised very serious and determined opposition not only on the Irish benches but from other quarters of the House, and principally from other Irish representatives. He wished to know whether, under those circumstances, he would relegate that Bill to another category, because, in his opinion, it could not be passed without prolonged consideration and opposition. The other question he wished to ask was with reference to the Catholic Disabilities Removal Bill. The right hon. Gentleman no doubt noticed that that Bill, upon its introduction, met with opposition and a division was taken, but that division only went to show that there was in every quarter of the House, and amongst all parties, what he might call a general agreement as to its principle. Under those circumstances he asked the right hon. Gentleman whether he could not give some facilities for the progress of that Bill, but failing that he wished to ask whether he could give any reassuring statement on behalf of the Government that the matter was receiving their serious consideration, and that they hoped to deal with the subject next session. He hoped on those points the right hon. Gentleman would be able to give a satisfactory answer.

Mr. KEIR HARDIE (Merthyr Tydvil) said that perhaps he might be allowed to say with regard to the point raised by the Leader of the Opposition that the House would be found in general agreement with his criticism of the present haphazard method of autumn sessions. He thought there was also a substantial agreement that if the session were divided into two regular parts leaving the summer free for other purposes it would tend to facilitate business. [Cries of "No."] He did not rise to enter into any controversial matter. One of the measures referred to by the right hon. Gentleman was the Bill now before the House on its Second Reading slightly to amend the Unemployed Workmen Act. He was still of opinion that, with those exceptions, which they always looked for in regard to legislation of this kind, the Prime Minister and the Government would find substantial agreement in regard to giving a very few hours to allow that Bill to become law. He did not ask the Prime Minister at that stage to make the measure a Government Bill, but surely time might be given and the question left an open one for the decision of the House. As to the necessity of some such measure the figures supplied by the President of the Local Government Board at Question-time that day were ample justification, because he informed them that the number of unemployed workmen who had actually been registered in London was 38,600 whereas the number for whom work had been found was only 4,100. No less than 38,000 men had been certified by the distress committees of the central body to be fit recipients for assistance under the Act and they had only been able to find employment for 4,000. That represented a very serious and saddening state of affairs. There was no difference of opinion as to the advisability of giving relief to the unemployed. Naturally and properly there were differences of opinion as to the methods to be adopted, but on the main question itself there could be no two opinions, and all they were asking was that the distress committees set up by the party now in Opposition should have their powers somewhat enlarged to enable them during this winter to deal more effectively with distress arising from unemployment. He appealed not only to the Government but to hon. Members in all parts of the House to use what influence they might possess to allow this modest and moderate proposal to pass through its various stages in this House so that after the House had dispersed and when the distress committees in every part of Great Britain were wrestling with the almost impossible task of finding work for the unemployed they might have their powers somewhat strengthened and their task lightened by the proposal contained in this Bill. He hoped the Prime Minister would be able to give them encouragement to hope that in addition to the measures he had outlined a small part of their Parliamentary time would be found for the particular Bill to which he had referred.

*SIR FRANCIS CHANNING (Northamptonshire, E.) said he wished to ask the Prime Minister a question in regard to the Housing and Town Planning Bill. He was glad to hear the right hon. Gentleman state that he did not disapprove of a well-guarded procedure for the carrying over of Bills. He was glad to hear that it was in any case the intention of the Government to re-introduce the Housing and Town Planning Bill at an early stage of the next session under circumstances which would give it a chance of being carried through. But as the right hon. Gentleman approved of a guarded process of carrying over Bills, he wished to make this suggestion: why should this measure not be carried over in its present condition by a special Resolution of the House? There were a large number of hon. Members who had shared with him the very laborious and prolonged consideration given to every part of this measure who would he was confident be ready to support that course. That Bill had not only occupied a great portion of Parliamentary time, but it had been carried throughout without any application of the closure. There had been no possible point that could be raised in regard to the machinery of the Bill which had not been fully discussed during the proceedings in Committee and as to which the views of nearly every section had not been practically met. That afforded some ground for what he ventured to ask the right hon. Gentleman. The Bill might well be carried over to next session by a special Resolution as had been done with the Port of London Bill three years before. Anyone who had gone through the laborious consideration of such a Bill must feel that to Reconsider it in detail and have a full discussion next session on the Committee stage would be a serious Parliamentary blunder.

MR. DILLON Mayo, E.) said he wished to ask the Prime Minister whether the Government had had under consideration the question which had often been put forward of dividing the session into two parts, commencing on 1st November, adjourning over Christmas and adjourning for the summer vacation on 30th June. That proposal had been frequently put forward, and if the Government had considered it he would like to know if they expected to arrive at any decision in the matter before the commencement of next session. If not, would they allow the House to debate it so that the Government might obtain the opinion of the majority. To many of those who had sat for many years in the House the custom of sitting till the end of July or the middle of August was intolerable. He believed more business would be done at much less cost to the health of Members if that plan were adopted.

MR. LAURENCE HARDY (Kent, Ashford) thought that after the three speeches which had been delivered in favour of carrying the Housing and Town Planning Bill over some protest ought to be made against it, so that it should not be thought that the general opinion of the House favoured the idea. The Leader of the Opposition had referred back to somewhat ancient days, but the resolution arrived at then had been brought forward under different circumstances. At that time closure by compartment had not become the rule. Now it was becoming the ordinary procedure, and that fact should make them very careful not to adopt any system of carrying over Bills which, combined with the operation of the guillotine, might lead to the House losing the power to discuss any question. Under present circumstances the proposal to carry over Bills was a revolutionary change in procedure. In reference to what the Prime Minister had said as to the credit which should be given to the Government because the Eleven o'clock Rule had been rarely suspended, he would like to point out that a very large portion of the session had been carried on under the guillotine which had obliged the House to end its discussions at half-past ten. Considering the weeks they had passed under the guillotine they could not feel that the House had had that liberty of discussion indicated by the Prime Minister. Only a short time ago they had had a great change in the procedure of the House. A Standing Committee had been set up in connection with private Members' Bills, and that Committee had continued its work long after there was any possibility of private Members' Bills being discussed in the House. After Whitsuntide only two days were given to those Bills in the House, and it was impossible for any Bill to go forward except with the help of the Government. There was a long list of those Bills on the Paper which had been forced through Committee with no possible object. He thought the Government should find some amendment of the procedure of the House to secure that that work should not be wasted. He had been sorry to hear from the Prime Minister that the Hops Bill would not be proceeded with if there was any opposition. He hoped, however, that that Bill would be placed on as favourable terms as any other Bill in that category. Even if there was some slight opposition he hoped the right hon. Gentleman would remember the pledges given by two of his colleagues in regard to that matter.

CAPTAIN WARING (Banffshire) asked the Prime Minister if he would give early facilities to the Trawling in Prohibited Areas Prevention Bill. He hoped it would be given a prominent place next session either by inclusion in the King's Speech or in some other way.

SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) regretted that the Prime Minister was not prepared to make an exception with regard to carrying over Bills in the case of the Town Planning Bill. Would the Prime Minister assure the House that the Bill when it came before them next session would be in the form in which it had been amended as the result of the Committee stage? The Bill had undergone comprehensive and drastic alteration in Committee in both drafting and principle, and there were one or two points which some of them had succeeded in getting into the Bill and which they considered indispensable for the future reform of housing. It would be a matter of the greatest possible regret if those things were omitted when the Bill was introduced next year.

LORD R. CECIL (Marylebone, E.) desired to put one or two questions to the Prime Minister in regard to one or two Bills on the Order Paper. There was one little Bill which he feared could not now be secured, the Infant Life Protection Bill, which had passed through Grand Committee and was almost if not quite non-contentious. A very small number of hon. Members might still object to it, but he asked the Government to give it very serious consideration, for he was confident that if they did they would find it was a small but decided reform in the law which ought to be made. He understood that the Government intended to take the Port of London Bill after eleven o'clock. Could any indication be given as to how late the House proposed to sit? It was a Bill of importance which ought not to be considered at an unduly late hour. Another Bill, the Women's Enfranchisement Bill, of course had no chance of passing this session. That was a matter for rejoicing to some hon. Members and of regret to others. He most earnestly submitted that in their treatment of that question hon. Members had not been consistent. There was an enormous majority of the House absolutely pledged to the principle of the Bill. He was not saying that the Bill was right or that it was wrong but a very large majority of the House was pledged to it, and to go on from year to year without taking any effective step to carry out that pledge was not consistent with the dignity and honour of the House. He trusted that in the next session some opportunity would be given to the House to carry that measure into law. He had observed with some surprise that the Chairman of a Standing Committee had made an earnest appeal on behalf of the progress of the Town Planning Bill. That was a novelty in the proceedings of the House. He thought some measure of housing and town planning would be very desirable, but he must ask the Government earnestly to consider the drafting of the Bill, even after its amendment by the Standing Committee. It was not a measure which in its present form could be put on the statute book. It ought to be redrafted from beginning to end, and every principle in the Bill ought to be abandoned and reversed. He observed that the failure of the Licensing Bill was entirely attributed to the House of Lords He did not believe that any hon. Member opposite honestly believed that that was a full and honest account of the matter. The Bill contained a certain number of very controversial propositions. That was a matter on which it was right and proper in his view of the constitution of the country for the other House to express its opinion and if it disagreed with those propositions to reject them. In addition there were other propositions not so contentious.

*Mr. SPEAKER: The noble Lord is a long way from the point.

Lord R. CECIL said he passed from the Licensing Bill merely observing that in that matter the conduct of the Government had not been altogether blameless. The same observation applied with regard to other measures with the substance of which he would not deal. But he wished to deal with them from the point of procedure of the House, which was very important when they considered Bills of this sort. He said nothing of the merits of the Education Bill or of the Old-Age Pensions Bill, but he thought that the procedure adopted to carry them through the House was really a scandal. On the Old-Age Pensions Bill, there was no opportunity of discussing the crowds of Amendments which had been removed out of the consideration of the House. The numerous difficulties which had occurred in regard to the administration of that Act would not have occurred if the Government had given time for the discussion of the Amendments that had been put down. Then, with regard to the Education Bill, whatever they might think of its merits, no hon. Member could do otherwise than admit that the procedure adopted failed in carrying it. He thought it would have been disastrous if a Bill which had excited so much controversy had succeeded in passing the House under the conditions which the Government imposed. He regretted the observations which had fallen from his right hon. friend, the Leader of the Opposition, that he and his friends proposed to acquiesce in the imposition of the guillotine in the future. He trusted that that would not be the view of the House at large, and he earnestly hoped that those hon. Members of the House who were not on either of the front Benches, but who occupied a position of less dignity, but of equal responsibility, would, as Members of the House, seriously consider whether they were really going to tolerate as a permanent institution the guillotine which might be carried to grossest excess as in the case of the Education Bill and the Licensing Bill. He earnestly appealed to the Government that they should give an early opportunity next session to consider this question of procedure, and he asked the Prime Minister to appoint a Committee on which no official Members should have a place—a Committee consisting entirely of private Members—of course of experienced Members; and that that Committee should be trusted to prepare a scheme of procedure with regard to all Bills—a plan not in the interests of the Government of the day, but in the interests of the country at large. It had been said that no remedy for the present state of things was possible. He did not in the least believe that. He thought a remedy was possible. It was a matter which closely concerned the honour of the House and the constitution of the country. Unless some remedy was found for the present state of affairs with regard to procedure, the House would no longer occupy the position which it should do in the Constitution.

*Sir GEORGE McCRAE (Edinburgh, E.) asked the Prime Minister whether he would give facilities for dealing with a less contentious Bill on the unemployed than that introduced by the hon. Member for Merthyr Tydvil. The Bill he had himself introduced was of that nature and would get rid of many difficulties which faced distress committees at present. It was simply an amendment of the machinery part of the present Act. He referred particularly to the limitation which was put upon councils contributing to the relief of unemployment. Under the Act of 1905 a council could not contribute to any work which included wages. That was an unnecessary limitation. The present working of the Act tended to great extravagance with regard to charges of administration, and prevented local authorities from subscribing to works for the benefit of the unemployed. His

Bill did not raise the question of a 1d. rate for the payment of wages, but it allowed a council to contribute to works including wages, which was a very different thing in principle. The situation in Scotland with regard to unemployment was very alarming, not only in Glasgow, but also in the City of Edinburgh, where one would not expect such a large number of unemployed. They had in the last six months, before the severity of the winter had been felt, a larger number of good cases which had been approved by the distress committee than had obtained during the whole of last year. If the winter became severe before Parliament met again, he was afraid the position would be very serious indeed. Parliament should do what it could to make the machinery of the Bill of 1905 more elastic and thus do something to relieve the present situation.

SIR F. BANBURY (City of London) said he did not think that the right hon. Gentleman the Prime Minister would attach very great importance to the plea of hon. Members who urged that the Bills in which they were interested should not be sacrificed because of the pledges which they had given at the general election. It should be remembered that circumstances had altered very considerably since that time. He himself did not ask the Prime Minister to give facilities for taking on any further business this session. He noticed that the Prime Minister had given notice of going on with twenty-nine Bills and that it was proposed to include two private Members' Bills which might take, say, seven days. The Prime Minister had taken credit to himself for not having suspended the Eleven o'clock Rule until now. He hoped the Prime Minister did not desire to suspend the Eleven o'clock Rule and at the same time impose the guillotine when the House was to sit for ten months of the year. He would point out to the right hon. Gentleman that his party had been in office for three years, and that they had practically for two years sat all the year round with the exception of August and September. From his own experience of the House, which now extended to eleven years, he thought that the suspension of the eleven o'clock rule was bad. He did not think that they could get good legislation when only a small number of tired legislators—perhaps thirty on the Opposition side, and a sufficient number on the Ministerial side to secure the closure when it was moved—were present while all the rest of the Members were away enjoying themselves. Was it possible that they could know what they were doing, especially when it was remembered that they had already sat for ten months this year? Therefore, he appealed to the right hon. Gentleman that instead of adding to the list of Bills he had announced to carry through, he should take 75 per cent from his list and include them in the massacre of the innocents already announced. It should be remembered that the House of Commons had to consider the Lords' Amendments to various Bills besides those thirty-one Bills to which he had referred.

MR. ASQUITH: Many of them have been through the Lords.

SIR F. BANBURY: Some of them, but not all. He hoped the Lords would have an opportunity of considering and discussing Bills from the Commons which would require considerable amendment. Then there was an Amendment to the Children Bill made in the Lords, which the House of Commons would have to discuss. A clause from the Licensing Bill had been introduced into the Children Bill upon which there would be considerable discussion in the House of Commons. It was a very curious principle to take a clause out of a Bill which had been rejected in another place, and put it into the Children Bill. He could assure the right hon. Gentleman that there would be considerable discussion on that clause. Then there was the question of carrying over. The hon. Baronet opposite said that he had laboured long at his own particular Bill and hoped that the Prime Minister would accede to his request that it should be carried over. But every Member who had an interest in a measure would ask that his Bill should also be carried over. That meant that they would be introducing the system of carrying over in a general sense, because they would have any number of energetic Members of the House who would ask that it should be done with the Bills in which they were particularly interested. If Bills were sent to a Grand Committee on which there were only eighty Members, and these were to be carried over, the vast majority of Members of the House would not know what points had been discussed in Committee; and, besides, the Members of the Grand Committee could not carry all the details in their memory. He was really speaking in the interests of good legislation when he opposed this system of carrying over. Nothing was more fatal to the interests of the country at large than passing ill-digested measures without any one knowing what their ultimate effect would be. He hoped, at any rate, that the right hon. Gentleman would not insist on the House sitting after one o'clock in the morning to the end of the session. The Leader of the Opposition had said that the suspension of the eleven or twelve o'clock rule had been the habit of the Governments of both parties in the House. He was afraid that that habit had been adopted in order to force certain measures through the House. He agreed with his right hon. friend that that was a method of carrying on Government business; but he did not believe in it. He thought it would be better for the House and the country if they legislated more for quality than for quantity.

MR. CORRIE GRANT (Warwickshire, Rugby) who rose amidst cries of "Divide," asked the indulgence of the House for two minutes to make two comments and one suggestion, and reminded hon. Members who cried "Divide" that it was the first time he had spoken at these sittings. They could all sympathise with his hon. friend who had just sat down. With the suspension of the eleven o'clock rule his work was done—Othello's occupation was gone. He was sure the House appreciated the position his hon. friend had won for himself by extreme pertinacity and regular attendance—he was not going to refer to the phrase by which he was known in the lobby, which was expressive, accurate, and dramatic—but when the eleven o'clock rule went, though his hon. friend would still be there, his opportunity for promoting useful legislation disappeared. He would like to say one word further with regard to the protest which was made just before. He thought everyone would agree with that protest whether they had voted for the guillotine or not. He had never voted for the guillotine, but they had to recognise it for the moment as existing although they had all hoped that it would never become part of the permanent procedure of the House. His hon. friend the Member for the City of London was a new Member. He knew nothing of the procedure of the House in past days. Nor did the Cabinet. He had worked up the dates when the four leading members of the Cabinet entered the House, and he found that the oldest Member was the Secretary of State for War. He came into the House in 1885, and he was, therefore, a comparatively new Member. Old Members, and he thought he could claim to be an old Member of the House in that sense, would remember the sessions from 1874 to 1880. He watched the proceedings of this House throughout the whole of that Parliament much more carefully than any Member of the House, and well remembered that the most important part of the work of the House was done after twelve o'clock—done with great consideration and great benefit to the country. [AN HON. MEMBER: You did not then sit ten months in the year.] No, but they sat then till four, or five, or six o'clock in the morning, at some detriment to the health of Members of the House, but with great benefit to the country. If they could return to that practice—[Cries of "No, no."] Hon. Members who said "No, no," knew nothing about it. [Cries of "We do not want to."] That was the attitude of a man who, first of all, being ignorant of the matter talked about, did not wish to hear the facts which would enable him to alter his opinion. Some of his friends who remembered the Parliament before 1874, and the Parliament from 1874 to 1880, knew perfectly well that private Members then left the conduct of Government business to the Government and came down there at ten or eleven or twelve o'clock at night, and when the Government had ended their work, proceeded to transact their business, it was true in a small House, but in a House as large as the Standing Committees of to-day. The result was that private Members cognisant of small, unimportant evils in their own districts were able to correct them by their own effort. One Member of the House, Mr. Sheridan, boasted, and boasted advisedly, that he carried a private Bill every session. What Member of the House could go to his constituents and say that he had carried a private Bill in this Parliament? Those Bills were small and useful. He, therefore, rose to make a practical suggestion. The suggestion he made was that the Prime Minister should consider—not now, but when he came to deal with a similar situation next session—whether he should utilise the knowledge and ability of the private Members who sat behind him and who faced him that day, who were anxious to take part in the work of the House and who were disgusted with the way in which they walked up and down the lobbies, knowing perfectly well that if they opened their mouths they were only wasting the time of the House; who, therefore, were going back to their constituents with the consciousness that they had not done their duty, and some of them not able to find the reason why that had come about. The procedure of the House built on hundreds of years of progress had been broken into pieces by a revolutionary party using unconstitutional methods and justified in so using them, but they hoped that the time was coming when that revolutionary party would disappear—[OPPOSITION cheers.] He should have thought some hon. friends of his would know him well enough not to interrupt him in the middle of a sentence—they hoped that the time was coming when that party would disappear as a revolutionary party and would take its place as part of a House of Commons doing constitutional work for the whole Empire as they used to do in the old days. That day on the Order Paper, there were 116 Orders; of these 31 were Government measures, the remainder were those of Private Members and others who desired to promote useful legislation. What he wanted to ask the Prime Minister was to consider whether they could not revert to the useful precedent of bye-gone days, of which the right hon. Gentleman himself had no experience, and let private Members do their own work after he had finished what the Government wanted to do. He thought if the right hon. Gentleman would try the experiment, he would find that there were some Members opposite, and a great many on that side, who were willing to do work in the early hours of the morning if they could only see that the work which they were going to do would be beneficial to the country.

*MR. MORTON (Sutherland) said there was a good deal to be said in favour of the compartment system they had attempted to adopt, if they could possibly carry it out so that the allotted time should be properly divided up over the whole of the clause; but as a matter of fact, and unfortunately, the time generally was taken up on the discussion of a few sentences at the commencement of the clause, and a great many clauses were not considered at all. He thought the House would agree that the allotted time should be fairly divided so that all the clauses might be criticised. At any rate he should think that might be a successful way of getting the work done properly. He had always been in favour of carrying over Bills—he did not say from one Parliament to another—but from session to session. He should think that would save a great deal of time, and hurt no one except those who did not want to pass any legislation at all. He thought more business had been crowded into this autumn session than when a Tory Government was in power they attempted to deal with in three or four sessions of Parliament. Therefore, they had tried to do a great deal even if they had not succeeded. He would like to ask the Prime Minister on behalf of those Members of the Liberal Party who had done their best to support him for the last two or three months not to keep them much after eleven o'clock. The front bench Members were paid, well paid, but they, the private Members, were the great unpaid, and had to give a great deal of time—more than they expected. To be out late at night was dangerous to health and was not the best way of spending the end of the year. What he rose specially to speak about was the Trawling in Prohibited Areas Prevention Bill. He should like the Prime Minister to see if he could not get that Bill passed, as it was of great importance to thousands of poor fishermen in the North of Scotland. There were a great many other Bills which might be dropped without doing so much harm as would be caused if that Bill were abandoned. He was not sure that the Scottish Office had been serious in the way in which they were dealing with this Bill. He believed it was at the end of 1906 or the beginning of 1907 that they were promised this Bill. It was not a question simply of trawling but of obeying the law. The Scottish Judges unanimously decided that these foreign trawlers had no right in Moray Firth. That was the law of the land, and the Government should take steps to see that it was obeyed. If these foreign trawlers were really foreign trawlers he should not think so much about it, but they were Englishmen and English companies.

*MR. SPEAKER said the hon. Gentleman was now discussing the merits of a Bill which was going to be dropped.

MR. MORTON said he was sorry; he regretted that these English companies made use of a foreign flag to break the laws of this country. He hoped the Prime Minister, if the Scottish Office would not do so, would take this matter which affected 70,000 or 80,000 line fishermen into serious consideration, and endeavour to do something to see the law obeyed. If the Bill could not be passed this session, he hoped it would be brought in early next session, and pressed forward as rapidly as possible. That would be only acting fairly. He was speaking in the interests of his constituents and of constituencies which the Scottish Members represented, and he trusted that they would have some distinct assurance from the Prime Minister that the Trawling within Prohibited Areas Bill should be carried into law at the earliest possible opportunity. He (Mr. Morton) might repeat that he trusted that the right hon. Gentleman for the remainder of the session would not keep hon. Member in the House long after eleven o'clock at night.

MR. ASQUITH: I have been subjected to a somewhat lengthy series of Questions and I am afraid my Answers will be somewhat incoherent. My hon. friend the Member for Rugby lamented the days when, he said, the House transacted its business more satisfactory than now by sitting up late. I can remember those days when we used to sit up till two, three, or four o'clock in the morning to the detriment of our health, to the destruction, or, at any rate the deterioration of our temper, and with a very unsatisfactory output of public work as the result. I think we live in much better days now. Speeches are much shorter than they used to be, the methods of business are much more strict and accurate, and the output of work is much more satisfactory whether regarded from the point of view of quality or bulk. The hon. Baronet the Member for the City of London would sacrifice quantity to quality. But then, we do not always agree as to what quality means. And when my hon. friend says as a proof of the shortcomings of our Parliamentary procedure, that no private Member was able to pass a Bill in the course of the session I would point to the hon. Baronet who succeeded in carrying a Bill this session, with the general assent of all parties in the House. With reference to the Irish Constabulary Bill, the Chief Secretary regards its passing as a matter of the utmost importance, and unless it excites more opposition than we anticipate we think it our duty to persevere with it. I have been asked whether the Government will give facilities for the Bill for the removal of certain Roman Catholic disabilities. I am afraid it is quite out of the question, having regard to the short time which remains at our disposal, to consider a Bill which, as the division on its First Reading shows, excites a considerable amount of controversy.

MR. WILLIAM REDMOND (Clare, E.): It was passed by a large majority.

Baker, Joseph A. (Finsbury,E.)
Baring, Godfrey (Isle of Wight)
Barker, Sir John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barry, E. (Cork, S.)
Beale, W. P.
Beck, A. Cecil
Bennett, E. N.
Bertram, Julius
Bethell,Sir J.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boland, John
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J. F. L.(Lancs.,Leigh)
Brunner,RtHnSirJ.T.(Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C H (Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies,David(MontgomeryCo.)
Davies, M.Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duckworth, Sir James
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Feren, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn Herbert John
Glen-Coats, Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Gurdon,Rt Hn.SirW.Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir (Merthyr Tydvil
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Hazleton, Richard
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N)
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kettle, Thomas Michael
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St.Pancras,E)
Leese,Sir JosephF.(Accrington)
Lever, A. Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
McNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan,Francis E.(Leitrim,N.)
Meehan,Patrick A.(Queen'sCo.
Menzies, Walter
Middlebrook, William
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Muldoon, John
Murphy, John (Kerry, East)
Murray,Capt.Hn A C.(Kincard)
Myer, Horatio
Nannetti, Joseph P.
Nicholls, George
Nicholson,Charles N.(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Shaughnessy, P. J
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, William (Limehouse)
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.

Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Reddy, M.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Roche, John (Galway, East)
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Sheehy, David
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr)
Tomkinson, James
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampt'n)
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
Weir, James Galloway
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Balcarres, Lord
Balfour, Rt Hn. A. J. (City Lond.)
Banner, John S. Harmood-
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.)
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Fardell, Sir T. George
Fell, Arthur
Forster, Henry William
Gardner, Ernest
Gordon, J.
Goulding, Edward Alfred
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hardy, Laurence (Kent, Ashford
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hunt, Rowland
Joynson-Hicks, William
Kennaway, Rt. Hon. Sir John H.
Kerry, Earl of
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Middlemore, John Throgmorton
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Renwick, George
Ropner, Colonel Sir Robert
Sloan, Thomas Henry
Starkey, John R.
Stone, Sir Benjamin
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart

TELLERS FOR THE NOES—Sir Frederick Banbury and Mr. George D. Faber.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

As amended (in the Standing Committee), considered.

VISCOUNT CASTLEREAGH (Maidstone), in moving to leave out Clause 1, said he did not disguise from himself the fact that if the Amendment was accepted the Bill as an Eight Hours Bill would fall to the ground, and he sincerely hoped it would be added to the victims of the massacre which took place a few moments ago. He desired to trespass on the indulgence of the

House for but a few moments, but he wanted to put forward the reasons why he was entirely opposed to the principle which underlay the whole of the Bill. He felt that the measure was going through the House by default. It had been before the House for some years past, and he might perhaps be allowed to trace its history and the reasons for which it had been brought forward. It had been brought forward on Friday afternoons and had assumed such an academic character that hon. Members had not taken that amount of interest in this great and far-reaching question that they ought to have done, and they had usually selected the day on which the measure had been brought forward as a day on which they could attend to other business which had not been in the House of Commons. There was only left a very short time in which they could protest against this measure; and he craved the indulgence of the House to bear with him perhaps for a few moments longer than was usually allowed to the mover of an Amendment on the Report Stage, because, though deeply interested in the measure, perhaps as deeply interested as any hon. Members in the House, he had not an opportunity on the Second Reading of putting forward his reasons which he held very strongly, and which he had entertained for a very long time past, why the measure should not become the law of the land.

Mr. D. A. THOMAS (Merthyr Tydvil): May I ask whether the noble Lord is entitled to go into the general principles of the Bill and to make a Second Reading speech?

*Mr. SPEAKER: The noble Lord is entitled to discuss Clause 1.

Viscount CASTLEREAGH said the pith and essence of the Bill were contained in Clause 1. The whole principle was involved in that clause, and it was for that reason that he had put down the Amendment he was now moving. There was no need for him to make any secret of it, and he did not know that there was any need to explain to hon. Members that he himself was as interested as any hon. Member in the House in the coal trade. But he would take it for granted that he was absolved, certainly by Members below the gangway, from protesting against this measure from any unworthy motive, in exactly the same way as he absolved them from putting forward this measure on their own behalf. Might he be allowed as briefly as possible to put forward the reasons for his direct opposition to the Bill? He was opposed to it, first of all, because it was the first attempt which had been made in this country for the purpose of curtailing the hours of adult labour. The second reason was that it was uncalled for by the people of this country; and the third reason was that it established uniform legislation to meet wholly different local conditions. On the economic aspect of the question, the harm it would do to the coal owner or the coal consumer, he did not propose to touch. He would leave that to hon. Members on both sides of the House who put this subject forward in a far more eloquent manner than he could ever hope to do. What he desired to impress upon the House was the very far-reaching and important principle involved in the Bill. It was quite obvious that if the principle was once admitted it could not remain where it was at the present moment. That principle, once extended to the coal industry, could not remain with the coal industry. It must extend to other industries and eventually control the whole industrial life of the country. Might he be allowed in a very few words to put before the House the history of the Bill? In 1887 an Amendment was proposed to the Mines Regulation Act —

Mr. MARKHAM (Nottinghamshire, Mansfield): On a point of order, is the hon. Member in order, on Clause 1, in going into the history of the Bill and the manner in which it has passed through the House?

*Mr. SPEAKER: I think the noble Lord is taking a little too much licence now. It is no doubt a very important principle, and a good deal is contained in Clause 1. I should have thought that would be sufficient material for the noble Lord.

Viscount CASTLEREAGH said he desired to point out that the Bill had been brought forward by Gentlemen below the gangway and had been supported by right hon. Gentlemen on the front bench with a view to showing that it was to be entirely confined to the coal trade, and had been brought forward in the interests of humanity, and of the miners themselves, and was not, as he took it to be, a Socialistic proposal for the purpose of curtailing the hours of labour in this country. He thought it was only by touching on the history of the measure that they could see with what object it was brought forward. The promoters of the Bill, in the first place, were members of a Socialistic party who desired to extend this principle to other industries. Of course, if he was trespassing on the ruling of the Speaker it certainly removed a great deal of the force of the argument which he wanted to put forward. He did not desire to enter into economic details of the cost to the coal owner or anything in that respect, but he desired to oppose as strenuously as he could the very important and far reaching principle which he maintained was contained in the Bill. Perhaps he might say a few words with regard to the origin of the movement.

*Mr. SPEAKER: That is still worse; that is appropriate to the Third Reading.

Viscount CASTLEREAGH said that perhaps he might refer to the different attitude which had been taken up by Members below the gangway and hon. Members who sat on the front bench. They had heard a great many speeches from Members connected with the Labour Party, both in the House and on the Committee stage upstairs, and they had ventured to concentrate their remarks as applicable to the coal trade. They had heard a great deal on the Committee stage with regard to the tyrannical employer and they were told that this clause which embodies the principle of the Bill was intended for the purpose of protecting the miner from what the tyrannical employers did to him. When this measure was taken up by the Government and was supported by the Home Secretary, the right hon. Gentleman prefaced his speech with a dramatic account of the life of the miner underground. The President of the Board of Trade appealed to the House to pass the measure on the ground that the miner was excluded from the light of day and should not be excluded for more than eight hours. If one-tenth of the statements put forward by the right hon. Gentleman were accurate he would be entirely justified in bringing a Bill into the House prohibiting labour being carried on underground at all, and instead of using coal as an article for the purpose of providing warmth for the human body and for carrying on great industries, the British public would have to find some substitute. But that statement was not entirely accurate. He did not for a moment pretend that the industry was carried on under altogether pleasant and comfortable conditions, but there were other industries in the country to which equal objection could be taken. That was an argument at one time used with great force, but it was obvious that it must now be a diminishing force. He objected to the clause because it contained the principles of curtailment of the hours of labour and free action affecting a very large community in this country. It was quite obvious that labour in this country could claim to be in the same position to maintain its rights as employers of labour. There were two main points to which he desired to draw attention. The first was that if it was meant that this principle of the curtailment of the hours of labour was to go no further than was proposed in this measure, he would suggest that the proposition put forward in this clause should be left to the trade itself to decide. If it was meant to apply to all industries in the country then he could only say that if the House of Commons decided that that step should be taken the doom of the industries was sealed for ever. If that principle remained part of the Bill it was obvious that the legislation could not remain at the point at which this Bill left it. It was obvious that this measure must be the precursor of far more stringent legislation, and when eight hours had been adopted for coal mines they would probably have seven or eight hours Bills introduced to establish the same principle for every industry in the country. He hoped that they would hear some really adequate and important reasons put forward by the right hon. Gentleman on the front Ministerial bench for taking up the Bill on behalf of the Government. He objected to legislation of this kind because he was one of those who looked upon all restrictive legislation affecting the hours of labour as a necessary evil, and, therefore, the House needed to be very careful lest it went too far in legislating, not for controlling the minority for the benefit of the majority, but for controlling the majority for the benefit of the minority. In moving the rejection of the clause he would like to suggest that the provisions which it contained might very well be left to some arrangement between those concerned in the trade. He could testify well to the relations which existed between the employers and employed in the coal trade in the North of England. Those amicable relations had always been a subject of boast in that part of the country, and he did not think that the regulations of the hours of labour of those who worked in the coal trade in the North of England could be left in better hands. It might be said that the Railway Regulations Act and the Shop Hours Act were instances of the curtailment of hours of work of adults. But he had not the time to go into those two measures, beyond stating that under no circumstances could they be taken as any analogy whatever to the case before them. He would point out to hon. Gentlemen who had not taken the interest in this Bill which he thought a Bill of this magnitude was entitled to receive at their hands, that the injury the Bill might do to the individual coal owner or coal consumer was nothing whatsoever as affecting the main question. The injury to the individual was but a passing thing. There might be a great dislocation of trade, but that was a thing which might possibly right itself. What he wished to impress upon hon. Members was that by passing this measure they were admitting a principle which had never been admitted in this country before, and one which he was perfectly convinced would do infinite harm to the character and life of the whole of the industrial population. He should have liked to have gone at far greater detail into what he believed would be the effect of the clause, but owing to the ruling of Mr. Speaker he must content himself with confining his remarks within these very narrow bounds. He hoped what he had said would persuade hon. Members to consider the measure in its proper light, and with those few remarks he ventured to move, "That Clause 1 be omitted from the Bill."

MR. LAURENCE HARDY (Kent, Ashford) said that in seconding the Amendment he did not intend to go into the side of the subject with which his hon. friend had so ably dealt, namely, the larger question of limiting the hours of labour, but he desired to allude to some matters which had occurred since the Bill was before the House. They had had on past occasions various arguments in conection with the Bill, but he was glad to think that in reference to this particular measure they had travelled a great deal from the original position as to what was an actual eight hours day. Even the promoters of this measure had had to confess that difficulties which, when they raised them at first, were laughed at, were very real ones, and they had now to consider seriously questions of winding, and other matters, which when first brought forward, were considered as unreal. One great change made by the Government in connection with Clause 1 had not, in his opinion, improved the Bill in any way. The change he referred to was in connection with putting in that favourite device of the Government, the time-limit, so that the Bill did not come into operation until a period when it was very likely they would not incur any disadvantages from the results of this particular legislation. He only hoped in connection with this point that after the very strong argument which the Home Secretary put forward in favour of a scheme for five years, he would adhere to the Amendment he now saw on the Paper, and restore the clause to what he suggested in Grand Committee. He hoped he would not think that he was doubting his *bona fides* on this question, but they could not help remembering what happened on the Report stage of the Workmen's Compensation Bill when a similar thing occurred. On that occasion the right hon. Gentleman was defeated in Grand Committee, and he said he would put the matter right again on a subsequent stage. When the Motion was proposed from the front Opposition bench and seconded, in extremely strong and convincing speeches, the Government would not put on their own Whips to tell in the division upon the Question.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): It is not quite accurate to say that. What I said in Grand Committee was that I should leave the matter to the House to decide. [OPPOSITION cries of "No."] I am speaking from memory, and that is my recollection of what occurred.

MR. LAURENCE HARDY said he was only alluding to that incident as an analogy in order to make sure that, at all events, in view of the arguments that had been used, there should not be any wavering upon that particular point. This, however, did not affect his argument at all, because he did not think the alteration was one of any advantage even to those interested in the Bill. The clause as it passed through Grand Committee had really very little more effect on the Bill than when they were discussing it on the Second Reading. The two great considerations which really affected the House were, first of all, the opinion of the hon. Member for Gloucester, who presided so ably over the Departmental Committee, and gave them the most valuable information upon this question which they had ever received. On the Second Reading he supported the Bill in a somewhat critical speech. They knew also that the Bill as it came back from the Grand Committee contained some very grave faults indeed, and although the hon. Member for Gloucester's own suggestion for amending those faults was not one which appealed to the coal owners—he did not know what the coal consumers thought upon it—they had this fact established, that the Bill as it stood at present, and this clause which really enshrined the whole Bill, would lead to very great danger to the coal industry. Although the hon. Member was in favour of the principle, he considered that this section as it stood contained a very serious danger, and if passed in its present form, the hon. Member thought that very great disaster might accompany its enforcement in the country. That was a very valuable opinion coming from the source that it did. The second point was that they had always had assurances from hon. Members below the gangway that in no sense was the Bill put forward in contemplation of prices being raised and wages in proportion. On that point they had a very full statement made by the hon. Member for South Glamorgan on the Second Reading, when he said—

> "He could, were he a clever diplomatist hedge the question, but he would much rather frankly tell the House what they had done, or rather not done. Not in conference or in any congress or in any committee, or in private conversation, had his colleagues and himself discussed the question of advancing the wages consequent upon the passing of the Bill."

The only thing that they had had in connection with that since had been that on the 23rd November, at a considerably later date, at the half-yearly council meeting of the Northumberland Miners Association the following resolution was passed—

> "That, in view of the probable early passing of the Coal Mines (Eight Hours) Bill, and the subsequent likelihoodof reorganisation having to be made in reference to wages, we request the Miners' Federation Committee to convene a conference at an early date of the workmen members of the various conciliation boards, with a view to drawing up some uniform system applicable to the whole Federation, whereby a higher basis wage and a higher minimum wage can be obtained."

He thought it was rather too much that before the Bill was carried, they should have all the miners meeting together in order to raise wages. The apprehensions in connection with the Bill appeared to be justified, even at the early stage of the proceedings. On three points they were now meeting the question in a decidedly worse position than when the Bill left the House for Grand Committee. They had the Government not daring to bring the Bill into operation till the end of five years, they had the knowledge that hon. Gentlemen below the gangway intended to make the Bill a basis for increasing the price, and they had the knowledge on the authority of the hon Member for Gloucester that the Bill as it stood was very dangerous to the industries of the country.

Amendment proposed to the Bill—

"In page 1, line 5, to leave out Clause 1."—(*Viscount Castlereagh.*)

Question proposed, "That the words proposed to be left out, to the word 'for,' in page 1, line 6, stand part of the Bill."

*MR. BRACE (Glamorganshire, S.) said he had listened with much interest to the proposer and the seconder of the Amendment, and he must confess that he thought they had put forward no argument at all which would justify the House in rejecting the clause. They had said that the Home Secretary had put down an Amendment deferring the operation of the Bill for five instead of three years; they had criticised him, and they had gone on to say that he had only put in this time-limit because he was afraid of the Bill. The miners' Members who supported the period of three years in Grand Committee supported three years now because they realised that three years was more than sufficient to deal with anything that might arise in connection with this clause or with any portion of the Bill. The proposer and the seconder of the Amendment had said that that was the first time that the House of Commons had been asked to deal with adult labour. Indirectly it had always dealt with adult labour. In dealing with the hours of labour for children the House had also indirectly dealt with adult labour. He only needed to quote the Factory Acts and the Coal Mines Regulation Act to prove that. The opponents of the Bill, as usual, had beaten the big drum about the doom of industry; but had the House ever been asked to deal with any kind of legislative problem affecting labour when there had not been the cry raised that our industries were to be ruined? The Compensation Act was a good instance of that kind. Members of Parliament declared that if that Bill was passed industries would be ruined, but there had never been such a profit made as since the time when that became an Act of Parliament. If history repeated itself the passing of the Eight Hours Bill into an Act of Parliament would have no more influence in dooming industries than the passing of that piece of humanitarian legislation. They were told that this matter ought to have been left to be arranged between the trade unions and the employers. That was a proposition which was argued when the Bill came before the House for Second Reading. He said then what he said now, that it was because the workmen's leaders and the workmen themselves looked on this legislative Chamber as the proper place for settling a matter of this kind that they had come there in preference to using their power. He was not saying that their trade unions could not settle the matter themselves, and if the House rejected their responsibility the trade unions would have to settle the matter themselves. Some hon. Members cheered that statement, but if in consequence of the trade unions having to take it on themselves to settle the matter they had a prolonged strike which affected the whole of the industries of the country there would be no reason to cheer. When hon. Gentlemen told them to go and settle the question by the power of their trade unions they were giving a piece of advice which, if carried to its logical result, they would be the first to condemn them for. They had come to the House because they felt that this was one of those questions that an Imperial Legislature could deal with without injustice to anybody and without damaging industry. They had brought the question out of the area of a stoppage of work which would bear powerfully on the industries of the United Kingdom. The noble Lord had said that they were not united, but on this occasion they stood before the House absolutely united in their demand for legislation. The noble Lord and his friends said "No." They seemed to know much more about the matter than the men's leaders. There was nothing like having a healthy conceit of themselves. Hon. Gentlemen above the gangway were assuming a right which they had no right to assume, for they stood before the House of Commons as an absolutely united body from the North of Scotland to the West of Wales, save and except perhaps "the great important coalfield in the Forest of Dean," though he thought that the right hon. Baronet who represented the Forest of Dean would be able to tell them that there also they agreed with them in asking the House to accept this Bill. The hon. Member for Ashford said that a five-year period was of no advantage, and that it would be no more advantage than a three-year period.

MR. LAURENCE HARDY said he certainly did not express himself clearly if he did say so, because he had appealed to the Home Secretary to stick to the period of five years.

*MR. BRACE said he accepted the correction, though he took the words down at the time as he was rather startled at the statement. The hon. Member had quoted him correctly when he said that he had stated that they had had no arrangement, no conference, no discussion in the Committee, no discussion among themselves as to a policy for the raising of prices with a view to the raising of wages as a result or in consequence of the passing of this Bill. The resolution which the hon. Member had quoted regarding Northumberland was a resolution which the Northumberland members of the Federation were perfectly competent to propose as a section of the Federation; but till the hon. Member could come to the House and say that the Miners Federation as a body had passed a similar resolution to that which he had read, he would not be justified in assuming that there was a consensus of opinion among miners about raising prices, and thereby raising wages. The hon. Gentleman seemed to assume that it was a very easy thing to raise wages, and that all they had to do was to ask and take. If the hon. Gentleman had had as much experience as he had had in begging for something like a minimum wage he would be able to understand that the coal owners on the question of wages were able to look after themselves, and were very difficult to persuade to increase wages. It was more than suggested that miners would have an advantage by raising prices because they would be enabled to cover themselves through the increased wage they would receive. The average price for cutting the coal in South Wales was 1s. 6d. per ton. On the standard that was all the collier who went into the pit got. The highest percentage they ever received in the greatest boom year they have ever known was 78¾ per cent. The maximum at the present moment was 60 per cent., so that if they went to the highest point of a coal boom ever known they would only get 18¾ per cent. above what they had now. That worked out at 2·47d. Yet hon. Gentlemen asked the House to believe that they would use this Bill to increase the price of coal because they would be more than compensated by the increased wages they would receive. Could anyone conceive that a miner would reduce his output by one ton of coal per day so that by losing 1s. 6d. he might receive an addition on his standard of 2d. or 2½d? It was too ridiculous to talk about, yet with great solemnity and great authority they heard it said that the miners would be raising prices, and that this was what the Resolution that had been read intended. He had listened carefully in all those debates to hear the human side of the problem dealt with, but all that was talked about was the question of the raising of the price of coal. The Coal Consumers' League had recently issued a manifesto asking not only that the House should reject the Bill, but that people should send them money so that the resources of the league might be replenished. When he remembered the mining industry with its appalling death roll—hon. Members laughed at that, but while at that moment they were discussing the Mines Eight Hours Bill amid the jeers and ridicule of Tory Members, within recent days there had been a terrible disaster in Lancashire, and the bodies of sixty-eight of their fellow men were locked up in that mine, the mine having been flooded with water to put out the fire caused by the explosion, and when he talked of the appalling death roll it is received with jeers. [Cries of

"Shame," and OPPOSITION cries of "No."] The time had come when some hon. Gentlemen should visit the mining villages after one of these disasters, so that they might be able to realise that the human heart responded as softly, tenderly, and quickly to sorrow amongst the poor as in higher classes. When he went down to Lancashire with his colleagues in connection with that disaster, for days they were depressed with sadness because of the sorrowful scenes they witnessed. It was for the miners and their families that they pleaded. It was with fear and trembling that he ventured to urge that there was a human side to this problem which the House could not afford to pass lightly by. They did not think that the Bill if passed would in any way advance the price of coal. He held that if there was a time at which such a measure could be safely introduced it was now. They had thousands of men idle. Colliery owners were shutting down their pits, because it did not pay them to work the coal at present. If this Bill was allowed to come into operation during a period of depression, when there was more than a sufficient supply of coal to meet all requirements, by the time the cycle of good trade came round, and the markets went up, they would have the advantage of being ready to supply all the demands for coal. In connection with the Amendment standing in his own name, to Clause 1, dealing with the question of firemen, examiners, and deputies, he wanted to make a point now because he did not desire to trouble the House again. For some reason or another, firemen, examiners, and deputies had been excluded from the general operation of the Bill, and dealt with specially in a clause of their own. [AN HON. MEMBER: On the ground of safety.] As the question of safety had been raised, he said that if there was any body of men in connection with colliery work entitled to special treatment, by way of short hours, it was the examiners, firemen, and deputies. It was on these men that the safety of the mine really depended, and from the moment they went down the pit until they came back all their faculties must be on the alert. On the examiners especially the colliers largely depended for keeping a close oversight of the general conditions of safety in the mine. While they felt that the manager, under-manager, and overmen might be left out of the provisions of the Bill, they felt strongly that the examiners deputies, and firemen, ought to be within the Bill, and given the same conditions as the colliers. As to the time when the Bill was to come into operation he hoped his right hon. friend would feel that the Grand Committee had some right to be considered on the point. After thoroughly threshing out the question, the Grand Committee decided that the time-limit ought to be three years. His right hon. friend shook his head; and he knew it was said that that decision was obtained by a combination. He admitted that there was a combination, and that it was only by a majority that the Grand Committee decided that they must have the period of three years; still his right hon. friend would have something to gain by throwing in his lot with the mining Members in support of the Bill as it stood.

MR. A. J. BALFOUR: I can assure the hon. Gentleman who has just sat down, that, so far as I am concerned, I have no objection whatever to dealing with what he calls the human side of the coal miners' question. That cannot be ignored without very great disadvantage. But I would remind him of two points. In the first place, although everybody must admit that there are great risks and perils connected with the mining industry, and that miners are subject to accidents that do not affect other industries, nevertheless the general conditions of the trade are from the point of view of health not unsatisfactory; and, in the second place, I would point out that there is a very human side to the question of the price of fuel. I am not going to dogmatise upon the matter, but I think it will be admitted that if the effect of this Bill were to raise the price of fuel the effect upon the poor consumer of coal and upon the industries which give employment to the great body of our working men, is part of the human side of this question which it is impossible for this House to ignore. It is at least as human as the side upon which the hon. Gentleman has so eloquently dealt. It is quite true that the miners' occupation is a risky occupation, and that we are only too often deeply stirred by the great disasters which occur in the mining industry in different parts of the country; but I do not see that this Bill touches that point, and, if it does, there are many people who think there are points in the Bill which would increase the dangers to which the coal miner's life is unhappily subject. But so far as accidents are concerned there is no comparison between disasters on the one hand, and short hours on the other. Because a man is leading a life in which tragedies occur, as they do in the coal mining industry, and in the nautical industry, how do you lessen these perils or touch the question by dealing with the hours of labour? If it can be alleged that the present hours of labour in themselves have the smallest effect in increasing the perils of the miner's occupation, I believe every man in the House would agree that this legislation was imperatively and immediately necessary. I do not understand that any of the miners' representatives do allege that the diminution of the hours of labour from eight-and-a-half or nine hours by half-an-hour has the smallest relation to the risk which the miners now run.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda): With the greatest possible respect to the right hon. Gentleman, I do believe sincerely that, if this Bill were passed, it would make a very serious difference in greatly decreasing the dangers of mining in South Wales; because the hours there are very much longer than they are in other parts of the country.

MR. A. J. BALFOUR: The hon. Gentleman no doubt speaks with knowledge at all events of his own district, but I may shelter myself behind the Report of the Parliamentary Committee, which stated, in perfectly explicit terms, that, so far as their investigations went, there was no connection between the actual length of hours worked in the mines and the number of accidents. I pass from that to ask one or two questions. I approach this question in no dogmatic spirit, and with no violent pre-conceived ideas. I am anxious to learn what is to be said in favour of this measure, and I hope that, on this Report stage, we shall get explicit answers from those concerned in the mining industry to one or two questions, to which, speaking for myself, I have not been able as yet to find a reply. I understand that, broadly speaking, as far as the hours are concerned, we may roughly divide England and Scotland into three regions. There is the region which includes most of Scotland and part of Yorkshire, where, I believe, the hours now worked are not materially different from those which are prescribed in the Bill, and I suppose that there the Bill, though I believe it is desired by the miners, would effect practically no change in their position. I am talking of Scotland and Yorkshire, not of Northumberland and Durham. I do not suppose, therefore, that the Bill would have any economic effect either upon the workmen themselves or upon the general problem. That is the first division. Another division is South Wales and Lancashire. I understand that in South Wales, as the hon. Gentleman has just stated, and in Lancashire the actual hours now worked are greater than the hours prescribed in the Bill—are materially greater in some cases. If that be so, when this Bill passes, in these districts, and I confine myself to these two districts, there will evidently have to be an important readjustment of some kind or another, and I wish very much to ask the representatives of the miners in those districts of what nature they think that readjustment is going to be. It is quite clear that if the general condition of the industry remains the same, the diminution of hours will carry with it diminution of output. I am not now laying down a general proposition as to all industries, but I believe it is not denied that in these particular districts and industries a diminution of the hours of work will be followed by a diminution of output. If that be true, one of three things must happen. The profits of the coal owner must diminish, or the wages of the workers must be diminished, or the price of coal must rise, and all the other industries affected, and all those who use fuel for domestic purposes in the shape of the coal which comes from these regions will be deeply affected.

One or more of those three things must happen. Now I am very anxious to know what, in the opinion of the miners, will happen. Do they accept, for instance, as has been alleged by some of them—not by the hon. Member who has just sat down — that while prices rise, while wages rise, and the profits of the mine-owner rise, the only sufferers will be the vast general body of the consumers? If that is their view, I think it ought to be clearly stated in order that we may know where we are. If that is the view of those districts where the hours worked are materially longer than the hours prescribed in the Bill, and if that is the result, I think the House and the country should know that that is the anticipation of those through whose influence in the main this Bill is to be passed into law. If it is not that, are they going to acquiesce in the only alternative, which is a diminution of wages? The hon. Gentleman who has just sat down drew a picture of what would happen in the way of trade disputes if this matter were dealt with, not by Parliament, but by the mutual play of the forces under the control of the trade unions on the one side, and the Coal Owners' Association on the other. The hon. Gentleman stated that, though no doubt as a matter of fact the unions would be able to arrange the hours to their satisfaction, that end could only be arrived at after a serious trade war between the employers and the employed. But are they going to acquiesce in a diminution of wages without a trade war? If the result is not a rise in the price of coal but a diminution in rates of wages owing to the Bill, are they going to acquiesce in that consequence, and arrange with the employers or owners of the mines that as they are working less, they should get less, and are they going to accept contentedly that conclusion? Again, I think, if that is their view, they are in a position to say what their explanation is; but I think it is most important that they should give the House with all seriousness what they contemplate as the result of this legislation. There is only one more question which I will put to these Gentlemen who are more qualified to instruct us in these matters than any other body in the House. The hon. Gentleman who has just sat down has told us that, with the single exception of the Forest of Dean, he believes that the whole of the mining industry on the workmen's side is absolutely unanimous from the North of Scotland to the South of England in favour of this measure. Well, Sir, I quite accept his statement that it is formally accepted, but I should like to ask what the words formally accepted carry with them in Northumberland and Durham. I understand that Northumberland and Durham acquiesce, perhaps they do more, perhaps they approve, but I should be surprised if any representative from Northumberland can be found to say that. But, however that may be, and I do not wish to inquire into the matter too closely, what I want to know is this. How is the industry in Northumberland and Durham to be remodelled by July so as to be brought in accordance with the scheme of this Bill? The House will see that I am trying to confine myself to a very practical issue. I am not going into theory at all. The practical issue is of the very first importance. I think those who represent the miners in the House should tell us quite candidly and frankly whether they think that it is possible to uproot the immemorial, or, at all events, the long traditional usage in Northumberland and Durham, and whether it is possible for Northumberland and Durham to acquiesce in this Bill at all unless those who work at the "face" of the seam in those counties, I think that is the word, are prepared not to diminish but to increase the hours they at present work. I am told that they at present work six and a half hours. Would it be possible—I put it as a question; I do not feel that I know enough about it to give an answer myself; I only ask for information—is it possible to apply to that peculiar system of Northumberland and Durham the provisions of this Bill, they being required to work longer time than they do now? I may be quite wrong, but if they really signify their acquiescence in a revolution of their method of conducting the industry which involves an augmentation of the hours of labour of all the grown-up married members of the coal mining community of those two districts, I shall be surprised. These two issues are, I think, of the greatest possible importance. I do not ask the Government to reply to my queries, but I should very sincerely desire to hear a reply by those who represent the miners. Be it observed that this Bill will very greatly restrict the liberty of miners, by which I mean the local man will not be allowed to work so long as he does now. There are many cases where he does not work so long as he will work under this Bill, and where he can choose the days and hours of his own work. He evidently will not have the same facilities if this Bill passes. If miners require that, it is not for other people to quarrel with it, but I sometimes doubt whether they have realised the inconvenience to them. But when I talk about their personal convenience I am travelling beyond my own province; they are the best judges of that. But the other queries I have put with regard to the alternatives of a rise in price and diminished wages and about Northumberland and Durham are of the utmost importance, and if we could, before agreeing to Clause 1, have an answer from those who represent the mining part of the community, I am sure it would facilitate the latter part of the Bill.

MR. GLADSTONE: I quite understand that the right hon. Gentleman wishes particularly to hear the opinions of the representatives of the miners who come from the districts affected, but there are one or two points upon which I should like to make an observation or two, and I should also like to reply to the speech preceding that of the right hon. Gentleman. The right hon. Gentleman in the latter part of his speech raised a very important point, a point which distinctly deserved regard, and that was the question of Durham and Northumberland. He asked how it was possible to expect Durham and Northumberland to make adequate preparation for reorganisation by 1st July. I quite agree that that is a very serious question. The point was raised at the inception of the discussion in the Standing Committee, and that view was strongly pressed by my hon. friend the Member for Mid Durham, and I undertook to see whether we could meet his views. It could not be done then, but I myself consider that no serious objection could be taken by the representatives of any other part of the country if we did give a special extension to Durham and Northumberland of three or six months. As it is, the Act will bring in Durham and Northumberland with the rest of the country on 1st of July, but it appears to us that no objection, no practical objection, can be taken if in consideration of what I admit are the very special circumstances of those counties an extension of time were given of three or six months. I agree that the Bill concerns Durham and Northumberland more than any other part of the country. It means in Durham and Northumberland that an organisation which is as hon. Members know carried to a very high point must be entirely reorganised. We have never concealed that fact from ourselves, and we have given to it a great deal of consideration. I will return to that point again because it mainly arises upon the question of the date at which the Bill shall come into operation and, as a matter of fact, the right hon. Gentleman took me by surprise in raising the point so early in the discussion. But I quite agree that his question is a very fair one, and I will in the course of the evening communicate the decision in the matter.

MR. D. A. THOMAS: In Committee the right hon. Gentleman kindly undertook to consider the question of differentiation between different districts as to when the Act came into operation. I said that 1st July was a very inconvenient date for South Wales and Monmouthshire.

MR. GLADSTONE: That is prefectly true, but I am not going to be drawn further into the matter now. All I say is that the case of Durham and Northumberland is in the opinion of hon. Members who have studied this question really different from others. The case of Durham and Northumberland in my opinion and in the opinion of those who are familiar with those counties stands by itself. The right hon. Gentleman has asked some interesting questions which go to the root of the Bill. He dealt first of all with the question of health. That is an old question. I do not anticipate that the Bill can materially decrease the accident rate. It may be true that if the Bill actually diminishes in so dangerous a district as South Wales the dangers of the miners' occupation *pro tanto* the risk of accident will be much decreased. The right hon. Gentleman will admit that that must be so. I dealt with the question of health on the Second Reading and the hon. Member for Dulwich who replied did not contradict what I said on that point. My point is this. The investigation of the Committee dealt only with the mortality statistics, and I contend that the mortality statistics cannot be taken as a test of the health and longevity of the mining population. Miners necessarily are a selected body. They go into the mines young. Boys who are very delicate do not go down at all, and boys who do go down the mines and are found unfit from some delicacy which develops itself later would be taken from the mines and put to some other occupation. The boys who permanently take to the miners' life are the strongest boys, and it therefore follows that the great body of miners are men physically above the average. But even the mortality statistics show there is an abnormal death rate of boys of under fifteen years of age employed in the mines, and at the other end of the scale among old men who work in the mines there is also an abnormal death rate, higher than the average death rate above ground. That is all I say about health, and I do not want to labour it or carry it too far. If it be true that the life being arduous affects the health, then it follows that anything which diminishes the danger to health will improve the health of the miners. That is a very fair conclusion. I do not want to put it too high, and I have said everything that I wish to say upon that point. Now, the right hon. Gentleman devoted himself to two points. The first was a possible rise in price, and, secondly, he asked how we were going to meet any disorganisation which had to be made good owing to the operations of this Bill. I agree, in the first instance, that if the price of coal rises materially it is a very serious thing for everybody in this country. Everybody will admit that. We all agree, and hon. friends of mine who represent mining constituencies admit, that the only question is whether there is going to be such a rise in price, and, if so, to what extent it will go. May I refer the right hon. Gentleman to the first part of the Report of the Committee, which I think answers his question? The Committee there accept the conclusions that the loss would be 21,000,000 tons, calculated on the basis of the 1905 output, and then they go on to show what clauses will be brought into operation to mitigate that decrease—

> "(1) By some increase in the efficiency of the labour at present employed, especially in the districts in which the hours are longest; (2) by improvements in the mechanical equipment of many collieries in the winding and hauling machinery, in the construction of the underground roads, and in some cases the sinking of new shafts and bringing upcast ventilating shafts into useful winding; (3) by the extension of the use of labour-saving machinery—coal-cutting machines and conveyors; (4) by the extension of the multiple shift system; and (5) by the improved conditions and economic pressure stimulating the existing flow of labour from other areas and industries into the mines.

AN HON. MEMBER: Will the right hon. Gentleman read the next recommendation?

MR. GLADSTONE: I do not agree with that.

MR. A. J. BALFOUR: The right hon. Gentleman is now dealing with what might happen in the distant future through improvements in machinery. My question is, What would happen under the operation of this Bill to-morrow?

MR. GLADSTONE: The Bill will not come into operation to-morrow. They will have six months to prepare, and one may assume that these suggestions would be acted upon. But the right hon. Gentleman asks what would happen if the Bill came in now. Well, if the Bill came in now I do not think that anything serious would happen. The collieries are working on short time, and with the restrictions that are proposed by the Bill if it came into operation I have not the slightest doubt the country could supply the demand at the present moment, without any material increase in the cost of production. I, of course, agree that much must necessarily depend on the state of the market, and that the risk of the rise in prices must necessarily be great when a change arises which does temporarily check the power of production. If that change comes when the market is high or when the price is rising, then the question becomes much more serious. As regards the general question as to whether it is going to cause an increase in cost, I have never tried to hide my anticipation or opinion of that, and on the Second Reading I took my stand on the Report of the Committee. I have seen no reason whatever to alter my opinion. I read out on the Second Reading from page 36 of the Report the passage in which they stood out for the introduction of an eight-hour day. In that case you must allow for a temporary reduction of output. I did not read the preceding passage then, and I will venture to read it to the House now—

> "The probable cumulative expense of the operations of these various influences in mitigating the effect of a reduced working day in curtailing production must remain a matter of uncertainty and of opinion. Upon all of them we have heard the evidence of the most skilled and experienced witnesses, and the more detailed conclusion we have expressed in the sections devoted to each lead us to the general conclusion that the total effect of all will tend towards the maintenance of an equilibrium between supply and demand."

That, I think, states the case. I agree, if that is the general conclusion, that then of course hon. Members opposite are perfectly entitled to ask us if we think, having regard to the possible dangers indicated by the Report of the Committee, that necessity and justice really compel us not to introduce this Bill. We hold that this Bill is a necessity and is required in the interests of those for whom it is intended. For my part, I do not for one moment believe, having given much anxious consideration to this question and having consulted all whom it was in my power to consult, that any enormous rise in price will be justified. I believe the amount of the rise will depend upon the conditions of the working and the outcome of the operation of the Bill. I have always maintained, and still maintain, that under this Bill the producing power of this community will be largely increased and that the result to the consumer of coal must be a lowering of the prices, but that, of course, is a speculation. But the argument that it will lead to increased power of production is not a speculation, because under this Bill you will have all the new developments in the present mines, the sinking of new shafts and new developments in new mines, new plant on the basis of this Bill, and the introduction of double shifts where there is now only a single shift. All that necessarily means a larger increase of production. I pass now to the one or two observations which were made by the noble Lord who moved the rejection of the Bill, and who seemed to believe that we were bringing in this Bill for some sinister socialistic purpose. I am not a Socialist, and I do not believe in a socialistic policy, but I am not afraid of these things. This Bill is not the first attempt in legislation of this kind, and therefore the noble Lord will pardon me if I do not accept that statement from him. It has been said that this would be an interference with adult labour. The noble Lord said it was an interference with male adult labour. He will understand that the Ten Hours Bill was a limitation of male adult labour. We all know that. Adult labour was directly referred to in the Ten Hours Bill. There has been the Railway Servants Act and other measures which in other ways interfered with adult labour.

Viscount CASTLEREAGH: The Railway Servants Act was for the protection of passengers.

Mr. GLADSTONE: Whatever the motive was, the fact remains that adult labour was interfered with; and if it depends only on motive, then, of course, the matter is made much clearer. I do not think the noble Lord can stand on a hard and fast principle in regard to the interference with adult labour. If he agrees that there was ground for an Act based on motive in one case, then with equal justice motive could be recognised in another. The Member for Ashford referred to the question of the time-limit. With regard to that, I have an Amendment on the Paper. I may add, however, that I made a perfectly explicit statement on the point in Committee upstairs, namely, that the

Government would have to reinsert the five years; and I did so because, on the Second Reading, I made a distinct statement to the House that the Government had decided to put in the period of five years, and I felt I was bound in those circumstances to move to reinsert that period, which I pledged myself to on the Second Reading. So my hon. friend need be under no misapprehension on that score. He complained that we put in what is called a time-limit. I must remind him that there was a time-limit of eighteen months, and I think he is rather ungrateful when we propose to put in five years to meet the fears and the arguments of his own friends and the Opposition generally. The point really comes to this, that during the five years both winding times are to be excluded. That makes a material difference. My hon. friend tried to bring in the hon. Gentleman behind me, the Member for Gloucester, who is quite competent to speak for himself. The hon. Member for Gloucester has an Amendment on the Paper proposing to postpone the Bill for eighteen months altogether, and I understood him to say that we did not care to bring the Bill into operation at once. On the contrary, we are going to bring the Bill into operation as soon as ever we can, and we think that the two winding times being excluded for a period of five years will make a material difference.

Mr. LAURENCE HARDY: I think the right hon. Gentleman knows perfectly well that what the mine owners have always asked for was that the Bill should come into operation at one time, and that the different districts should not have recourse or be forced to have recourse to different periods for reorganising their industry. That is what is done by the Amendment.

Mr. GLADSTONE: No; we had an eighteen months period in a former Bill, and our objection to my hon. friend's Amendment on the Paper is that it proposes the period of eighteen months. I do not understand, therefore, why the hon. Gentleman opposite quoted my hon. friend to-night.

Mr. LAURENCE HARDY: I thought had made myself clear. The right hon. Gentleman proposes a double operation. The hon. Member for Gloucester proposes a treble operation, but the mine owners always asked for one operation, and that is where I differ from both the right hon. Gentleman and the hon. Member.

Mr. GLADSTONE: I quite agree that it is a point for argument that will rise for discussion on the clause. I spoke at great length on the Second Reading, and I really have nothing special to add to the arguments which I have ventured to bring forward on this point. I say that this Bill is necessary, and I believe that the general opinion of all who have closely studied the question in this House and out of it is that this measure is needed. If I may say so with respect, I welcome the speech of the right hon. Gentleman opposite, who put perfectly fair, searching, and legitimate questions. He did not indulge in language which I have heard used in other quarters, namely, the language of denunciation. His tone was one of inquiry, of argument, and of reason. That is a perfectly right spirit in which to approach this question. The right hon. Gentleman knows that support of this Bill has not been confined to the Treasury Bench. It has been supported by leaders and individual Members on both sides of the House. I will not go further than to say that I see at any rate two hon. Gentlemen opposite sitting on those benches who are supporters of the Bill, and I welcome their presence here to-night. I hope we will get their support in the course of this debate. This is not an ordinary question of parties. It is a social question. We have the fact that in spite of everything that has been said against this Bill, of the difficulties and dangers which it is going to bring about, it was carried on the Second Reading by a majority of 274—394 for the Bill and 120 against. I take it, quite apart from party politics, that if half, or even a tenth part of the damage was likely to result from this Bill which was prophesied in some quarters, it would not have been passed on the Second Reading by that great and sweeping majority. I have noticed that the opposition to this Bill has always been of a somewhat peculiar character, and was usually brought up at bye-elections. [Cries of "Oh, oh!"] Yes, because you may say a great deal at bye-elections which you are not called upon to prove. However, I am not making any special use of that circumstance, because I recognise that there are six of us and half a dozen of the others. I am an old enough politician to know that, on the moral point in this respect, there is not much difference between one and the other. If there is, I am not bound to admit it, and what I do admit I will not say here. Still, I will say that the opinion on this Bill has been a fluctuating opinion. There is a body calling itself the Coal Consumers' League. Of course the coal consumers are a colossal and important body, but I cannot say that the Coal Consumers' League, which is a self-constituted and self-appointed body, who are visible at all bye-elections, and always appear on one side, can be regarded as of the same importance. But apart from that, where is the evidence that expert opinion is really alarmed? We have received numerous resolutions, and I have in my pocket at this moment a resolution from the Leeds Chamber of Commerce. I have talked to a number of these gentlemen, but I have not found that any of them has read the Report of the Committee. The opinions in opposition to the Bill are founded upon this hypothesis, that it would lead to a large increase in the price of coal, and that if there was a large increase in the price of coal all sorts of dangers would happen to the industries of the country. It is undeniably true that if the price of coal were permanently put up 5s. a ton much mischief would be caused to the industries of the country. But it is not proved, and I maintain that all examination of the question shows that the price will not be raised. I have found myself from the first on the opinion of the Committee, and I maintain that if hon. Members fairly study the Report they will see that there are no such dangers as are anticipated by some opponents of the Bill. I have spoken longer than I intended, and I would, in conclusion, express the hope that the House will reject the Amendment.

SIR ROBERT ROPNER (Stockton) said he had a good many years experience of these matters, and he had some knowledge of what the Bill would ultimately mean if it were passed. In his opinion, in the first instance, the Bill was an interference with the freedom of contract between employers and employed. They had been told by the right hon. Gentleman that such interference with adult male labour as was now proposed was not exceptional. They had it with regard to railways, but in other respects there had been no interference by the House with freedom of contract between employers and employed; for there was this reason—and his friends for the greater part would bear him out—the trade unions of this country had always been strong enough to fight their own battles, and he held that if there was any necessity at all for interfering with the hours of labour of miners, the trade unions of the miners would have been amply strong enough to secure such a measure. That was one of the reasons why he objected to the Bill *in toto*. Another reason why he objected to this clause was that if it were passed there would be far greater danger of accidents in mines than at present. In Durham and Northumberland every precaution was taken to prevent accidents in the mines. Of course they all deplored these accidents, and hoped that they would become less and less in the future. But he ventured to say that if this Bill were passed and the hours were reduced materially, in some districts the work would be hurried over; the miners who were working in one shift would not take due precautions when they were leaving to see that everything was in perfect order for the next shift; possibly a big prop might be left out where it was required; and it would be found that owing to this hurry and lack of precaution, more accidents would occur in the future. Therefore he strongly opposed the Bill. Then he thought it would be unwarrantable altogether because it would bring about industrial warfare in many districts. At present, at any rate in his own immediate neighbourhood, everything went on exceedingly pleasantly between employer and employed. There was not the slightest question of the employees to-day having any grievances which were not met by the employer. There was a strong trade union, and the employers also had combined; the representatives on both sides were able to meet; if any question cropped up it was amicably settled, and, as everybody knew, a strike in the colliery districts was almost entirely out of the question. With such men as they saw in that House, the representatives of Durham and Northumberland, there was no fear whatever that questions would arise which would bring about a cessation of labour. He could not for the life of him see why there was any necessity at all for interfering with what was at present a prosperous trade which meant good wages to the miner. They were not asked to work unreasonable hours, because the hours in Durham were only about six-and-a-half per day, and generally speaking the miners only worked about five days in the week, and there was no question of any undue pressure upon them whatever. That was why he said if they passed a Bill of this kind they would introduce something which was almost certain to bring about difficulties between the employer and the employed, and for that reason he did not see that there was the slightest necessity for the Bill at all. If they passed the Bill, let them say what they liked, it must bring about a reduction in the production of coal. That wasquite certain, and it was put by the Departmental Committee at 25,000,000 tons per annum to start with. The right hon. Gentleman might point out that it was the intention to improve this, that, and the other, but he could assure him that when he said measures would be taken to bring about a larger production of coal, that everything had already been done. There was very little that could possibly be done to bring about a larger production of coal which had not been already effected. It was quite untrue, in his opinion, that it was possible so to arrange the mines in one way or another as to overtake this deficiency of 25,000,000 tons per year. If that was so, it was a very great difficulty indeed. The argument was that the cost of labour per ton would only amount, some people said, to 6d., but it had been tried in the Clifton Colliery in Yorkshire, where it worked out at 1s. 11d. per ton. But that did not regulate the price of coal in the market in the least—the price was regulated by supply and demand. If they reduced the supply they would bring about a state of affairs which they had seen only about eighteen months ago, and which was practically still to some extent prevailing in the country—they saw a rise in price for a month or so of not 6d. or 1s., but of 5s. a ton. What was bound to happen was that immediately the Bill came into effect partially or altogether there would be a deficiency in the supply, and then the demand would spring up. There was very little difference in the production of the coal between good times and bad times. He had heard it said that 1,000 men were out of employment in the coal districts. Not to his knowledge. As far as he was aware, the colliers both in Durham and Northumberland were very well employed. To-day the price of coal, as everyone knew who had anything to do with coal at all, was something like 1s. 6d. or 2s. a ton more than it was two years ago, and in Wales 3s. to 4s. a ton more. That showed that there was a large field of labour for the men, or the price would go down to its normal state. It was not at its normal state to-day, and if they brought about an artificial reduction in the production they would at one bound enhance the price of that product, not by the additional cost of production, but by an amount which could not be measured by anyone. It might be 5s. or 10s. a ton, as it was immediately after the Franco-German War, when coal went up from 8s. to 21s. or 22s. a ton, not because the cost of production had increased—it had not increased in the slightest—but because the demand was greater than the supply; and that was what was going to happen. Members of the House and the outside public did not realise what they were going to do, because they did not understand it. A good many Members of the House did not see it yet. They could not possibly see it. They were not within the wheels to have knowledge of it. They supposed it was like everything else and that if there was a little more labour and cost it was made up by additional cost to the consumer to that extent, but that was not the fact. It would increase considerably more. What would be the effect of that on the country? Just take the shipping interest alone. Everyone supposed the shipping industry was one which had made the fortunes of many men in the country. He admitted that, but what was it to-day? To-day there was not a single cargo boat afloat which could pay its way. The freights had gone down almost to nothing, and anyone who had any knowledge of the shipping trade was aware of the fact. He was not in the habit of saying anything of which he was not certain. His own firm—he did not want to brag about it—had something like fifty steamers. It was not a question with them to-day how much they were going to make on a voyage. Their people were calculating day and night to find a freight in which the steamer could pay its way. That was the position of the trade to-day. What were they going to do? They were going to increase the price of coal by possibly 5s. per ton, which would mean that these ships would have to be laid up. It was said the consumer would have to pay, and that if he wanted the stuff he must pay higher freights to make up for the higher price of coal. That would be right enough if we were the only nation that owned ships. But we were not. We had to compete to-day against German, Norwegian, Italian, and other mercantile fleets which did not pay the same wages and did not feed their men as we did. Immediately they increased the price of coal, as they would be bound to do, the foreigners would get a preference and would carry what was to be carried and British steamers would have to lie idle and see the work done by other nations. That was what was going to happen. Then what would be the result to the shipbuilding trade? As his friends in the trade knew well enough, most of the yards were standing idle. His own shipyard in Stockton had been standing idle for twelve months. He could not get an order for love or money. He was quite prepared to take orders from any man who would give him them at less than cost price. He would take £1,000 below cost price and give ten years to pay for the ship. These were facts. It was no good mincing matters. That was the state of the trade to-day. But it was said it would come all right again. It might come all right if they had not the position that they had to-day in Germany. Formerly, when an order came into the market for a German, Norwegian, or Swedish owner, shipbuilders knew that ultimately that order would come to England. The position to-day was this—that if an order of that kind came into the market, instead of ships being given to us to build they were built in Germany, Norway, Holland, Belgium, or Denmark. Not only were they building for themselves, but to-day where an English owner wanted to buy a new ship he asked not only English builders, but Germans to tender, and tramp-steamers to-day were being built in Germany and other parts for English owners. That was the position of affairs. He knew what the result would be. They would be driven to protect their own trade. He had never been so far what had been called a whole hogger.

*MR. SPEAKER: I think it is desirable to leave the fiscal question out of consideration.

SIR ROBERT ROPNER thought he had said enough to show that if they interfered with the price of coal in this country it would mean the ruination to a large extent of their trade. It would mean an increase in the price of coal to every trade, because coal was required by every manufacturer. The Labour Party should realise that it would mean that a great many men would be thrown out of employment. Hon. Members were already regretting the passing of the Workmen's Compensation Act. [Cries of "Oh, oh!"] Formerly only an accident which prevented a man working for fourteen days was paid for, but to-day every accident had to be paid for.

*MR. SPEAKER: I must ask the hon. Member to confine his remarks to the clause.

SIR ROBERT ROPNER said he would, of course, obey Mr. Speaker's ruling. He thought it would be a great mistake in passing a Bill of this description to restrict the number of hours, because trade unions were strong enough to bring about whatever alteration of the hours of labour they desired, and he did not see the slightest necessity for the House being called upon to interfere.

*Mr. KEIR HARDIE said he rose for the purpose of endeavouring to supply answers of a practical kind to the points raised by the Leader of the Opposition. The two points upon which the right hon. Gentleman desired special information were safety and output. He did not think anybody anticipated a Second Reading debate on this clause, and he was sure that he was speaking for all his colleagues on this question when he said that they had not the material ready to their hands which they certainly would have had had they anticipated the turn which the debate had now taken. He thought, however, he would be able to supply the right hon. Gentleman the Leader of the Opposition with complete information on one point, and he would do his best with regard to the other. First of all, with regard to the question of safety. It was a most remarkable fact that the percentage of accidents in mines went down proportionately as the hours of labour were decreased. This was so universal that it could not be altogether accidental, and the hours of labour worked in mines must have some relation to the accident rate. If they took the district which he knew best, namely, Scotland, he found that in 1896 the collieries there were working ten hours per day, and the death-rate from accidents amongst those employed underground was 1·62 per 1,000. When the ten-hours day was changed to an eight-hours day the death-rate in the same district dropped to 1·42 per 1,000, which was a very marked improvement. If they took that part of the country where the hours of labour were shortest of any, namely, Durham and Northumberland, they would find that in the Newcastle district the fatal accident rate in mines was only 0·87 per 1,000, or almost 1 per 1,000 below the rate which obtained in Scotland. If they went to Wales, where the hours of labour were longer than in any other part of the country except one, they found the death rate from accidents in mines was 1·70 per 1,000, which was the highest of the three districts which he had quoted, the lowest being Durham and the Newcastle district, in which the hours of labour were the shortest, and the next lowest being Scotland, where the hours had been reduced, and where the death rate had gone down accordingly. The highest death rate was found in the Cardiff and Swansea district, where the hours of labour were the longest. The reason for this was very plain to those who had had practical experience of working in mines. When the hours of labour were long everything was done slipshod; there was a lackadaisical spirit upon everyone which affected the methods taken to preserve safety, and had a distinct effect upon the number of accidents. Again, the reduction of hours of labour whilst increasing the output of coal, as he would show was the case, had also a distinct effect in strengthening the administration of the mine, thus making for efficiency, with a consequent increase of safety. In that way they accounted for the low death rate in those places where the hours of labour were the shortest. Because of the increased efficiency in the management of the mine which followed in the wake of a shortening of the hours, they argued from that that when this Bill became law what was not now the universal rule would become general in the whole of the districts affected by this Bill.

Mr. LUPTON (Lincolnshire, Sleaford): Are the hours of labour worked by the miners in Durham shorter than those in Scotland?

*Mr. KEIR HARDIE: Yes. There was an eight-hours day in Scotland, and in Durham the men worked from six and a half hours to seven and a half hours per day. As to the point whether the Bill would add to the danger of working in mines, which he admitted was a strong point honestly held by those who were opposing the Bill, they submitted from their practical experience that with the shortening of the hours which the Bill would bring about, the condition of the roadways and of the shafts in which the bulk of the accidents took place would be so much improved that a corresponding reduction of the rate of accidents would follow. He hoped that from this experience and from the actual facts as tabulated in the Report of the mines inspectors, the House would dismiss from its mind any apprehension as to increased danger arising from the working of the Act. The second point which the right hon. Gentleman raised was that if there was a diminution of the hours of labour there would be a corresponding diminution of output, and that then one of three things must happen—either profit or wages or both must go down, or the price of coal must rise. Here again it happened that they were able to speak with absolute certainty, not from any theoretical point of view, but from actual experience gained by reducing the hours of labour. He held in his hand the Report of the Mines Inspectors for Scotland for the year 1906, which was the latest issue he had been able to obtain. That Report gave the output from the mines of Scotland from the year 1895 down to the year 1906, inclusive. As he had already explained, the number of hours worked by the Scottish collieries during that period had been reduced from ten per day and over, to eight per day. In 1905, under a ten-hours day, the output was 29,911,000 tons, or roughly 30,000,000 tons. In the year 1906, under an eight-hours day the output went up from 30,000,000 tons to 47,000,000 tons, or an increase of 17,000,000 tons a year with a reduction of two hours per day in the working day. But that was not all, because the increase had been gradual year by year. It was suggested *sotto voce* that the reason was that trade was better in 1906 than in 1905. But he found that in the year 1903, the output was 30,000,000 tons; in 1904, 41,000,000 tons; in 1905, 45,000,000 tons; and in 1906, 47,000,000 tons; so that it would be seen there had been a gradual progressive increase under the eight-hours system. It might be said that the reason for the increased output was an increase in the number of persons employed. Unfortunately, the official table from which he was quoting was against those who took that stand. There had not only been this increase in the output, but an actual decrease in the number of men employed; that was to say, the output per head of the persons employed in the mine had considerably increased under the working of the eight-hours system as compared with the ten-hours system. He did not quote the figures for 1895, because in 1899 a considerable number of men and boys who were previously classed under the Mines Act were transferred to the Factory Acts, and so they got a fictitious reduction in the number employed. He would take the figures from the year when the change was made. In the year 1899, the number of persons employed after making the reduction he had referred to was 97,995. In the year 1906, it had gone down to 91,516, a reduction of 6,500 in the number of persons employed underground, and at the same time an increase, as he had already shown, of 17,000,000 tons in the output. He hoped the figures were satisfactory and conclusive, but this case did not stand alone.

MR. BONAR LAW (Camberwell, Dulwich): Will the hon. Member state the district to which those figures apply?

*MR. KEIR HARDIE said that the figures were for the East of Scotland, No. 1 District. He had other figures which he should like to give, if the House would bear with him, affecting the output, and they showed how the Bill would not, if it became law, necessarily reduce the output. He would like to visualise the working of a mine for the benefit of those hon. Members who had had no experience of a mine and did not know what the work was like. First of all, there was the winding machinery for bringing the coal up the shaft; then there were the haulage arrangements for bringing the coal from the coal face to the bottom of the shaft; and, thirdly, there was the working place in which the colliers got the coal: when all these three were in full working order and efficient, they then got the maximum output, but if one of these three parts happened to be disorganised, then the whole of the output was affected. Every colliery had a certain winding power, and as a rule a sufficient number of men were employed to produce coal to keep the colliery going full time. There was usually, he was speaking now of Wales, a weak link between the point where the coal was got and the point where it was sent up the shaft. He would not mention names, but he would show the documents to hon. Members who desired it in regard to the three cases he was now going to quote. In the first of the three, the winding power of the engines and the number of men employed represented a possible output of 6,480 tons per week, the week taken being that in which there was the largest output in two years. In that week the actual output was 3,852 tons. In the second case the possible output was 10,800 tons, the actual output was 6,159 tons. In the third case the possible output was 9,800 tons, and the actual output was 4,152 tons. When this Bill became law, all that would be necessary to prevent any reduction of output was simply to improve the means of connection between the place where the coal was got and the shaft. Every collier knew what time was lost day by day through trams and tubs getting off the rails all through sheer carelessness. When this measure became law it would be imperative on the colliery owner to see that the haulage roads were kept in proper order, and by that means the output could remain undiminished. He had always advocated from the point of view of the working collier as well as that of the colliery owner that it was good business to regulate supply and demand, for this prevented both wages and profit going down below a certain point. But the Bill would not lessen the production or output of coal by one single ton a year. If that was so, there could be no increase in the price and there could be none of those dreadful calamities so often described on bye-election platforms and repeated there that night. What the Bill meant was that where colliers had been kept underground for ten hours, they would now be able to be there for eight hours, performing the same work and receiving the same pay. The object of the Bill was to give them two hours more freedom in which to enjoy comfort and fresh air. Much had been said of the opposition to the Bill. They had heard of the Coal Consumers' League, and the Home Secretary had told them that the Chamber of Commerce at Leeds had protested against the Bill. Evidently, the prompting which had taken place during the last few days was beginning to produce its effect. The Coal Consumers' League, which was represented by persons who were also mixed up with a good many other organisations which had not proved themselves specially considerate of the working classes in the past, had just issued a circular which had been sent round to chambers of commerce and large employers of labour. It set out by saying it was desirable to bring home to the House of Lords in the most forcible way possible the issues at stake in the Bill—

"My Committee (it went on to say) are inviting those who control large coal consuming undertakings throughout the country to defend themselves by passing strong resolutions against the Bill, and by forwarding the same to Lord Lansdowne."

"It is felt desirable that each undertaking should draw up its own resolution, but I venture to make one or two suggestions."

The suggestions were headed "resolution points."

"The resolution should describe the industrial undertaking from which it comes, preferably stating the capital involved and the number of hands employed; that there is no general mandate from the country for the Bill; that it penalises the whole community in order to serve the sectional interests of the miners, and that for the above reasons and others we desire to state that the House of Lords is urged to reject the measure."

Then came the important point of the circular, like a postscript in a lady's letter—

"*N.B.*—If you have not already contributed to the funds of this league which is defending your industry, we beg that you will give this matter your earliest consideration, as additional funds are urgently needed."

Here they had the Coal Consumers' League urging that industries were going to be destroyed by the Bill, and they had an organisation that had so valiantly entered the breach to defend the country against the Eight Hours Bill compelled to send the hat round for subscriptions. The real fact was that there was no genuine feeling in the country against the Bill. Most leading men of industries, ironmasters and colliery owners, knew as well as he did that the Bill would not affect them in the slightest degree. The whole agitation was bogus from start to finish. It was being faked up for political purposes, and he hoped the House would, as it did by agreeing to the Second Reading, show what it thought of the agitation by carrying the Bill through all its stages so that in the near fulness of time a reform for which colliers had agitated for the last twenty-five years might fructify in an Act of Parliament.

*Mr. RIDSDALE (Brighton) hoped it would not be counted to his score that he paid no regard to the welfare of humanity if he announced that he intended to vote for the Amendment. The hon. Member for South Glamorgan had spoken in very strong terms about the human interests involved in the question. He did not think it lay in the mouth of one individual Member or any group of Members to claim a monopoly of interest in humanity. He was quite certain any hon. Member, wherever he sat and whoever he might be, had as lively an interest in the well-being of the coal miner and had as high a respect for his devotion to duty as the hon. Member who used those words had himself. The hon. Member for Merthyr Tydvil referred to the agitation got up against the Bill outside as a bogus agitation. He knew nothing about that. He had no connection with that agitation at all. His right hon. friend the Home Secretary looked round at those benches when he said that some of his hon. friends were members of the Coal Consumers' League. He was not a member of that association, and he knew nothing of its existence except what he heard in that House and read of in the newspapers. He thought, however, as a Member representing the traditions of the great Liberal Party, that there was a principle involved in Clause 1 upon which he ought to speak in the interest of those principles which he held dear, and which he thought those who were the trustees of those old Liberal principles ought to hold dear also. What did this clause do? It imposed a limitation upon the liberties of our adult fellow-subjects. It laid down the rule that there should be a limitation as to the number of hours anybody should be allowed to work below ground. What grounds were put forward for that proposal? He quite agreed that occasionally it might be necessary to make rules by which they should govern the will of an adult person; but, before they did it, they should have some clear ground that that liberty was doing some harm, if not to the individual's own health and to himself, at any rate to his neighbours or to the State. He had listened to the debate on the Second Reading, and, so far, to the debate on this Amendment, and he had not heard a single reason given as to what harm the unrestricted liberty of a man to work underground as long as he pleased did either to himself, his neighbours, or to the State.

A LABOUR MEMBER: Or as short as he likes.

*Mr. RIDSDALE said the Bill did not say he should not work as short hours as he liked. He objected to any limitation to the discretion of a man to do what he pleased so long as he did not do any injury to himself or anybody else. He thought there had been too much of a tendency towards the limitation of individual liberty and that it was high time something was said against any further extension of that interference. He remembered that in the debate on the Second Reading it was suggested by the right hon. Gentleman the President of the Board of Trade that the principle in the clause was going to be extended to other industries. At present the limitation was only to be imposed as long as a man was below ground, but it was intended to impose it upon a whole series of other industries; this was only the start. That might be the politics of the Socialist Party, but it was not his politics, and he wished to register his most emphatic protest against it. He did not know from what source the hon. Member for Merthyr Tydvil obtained the figures which he quoted, but no doubt the source of his information was trustworthy or he would not have given the figures to the House. Upon those figures he made the statement that, according as the hours of labour were decreased, so the percentage of fatal accidents decreased. In Northumberland and Durham, where they worked the shortest hours, six and a half, the accidents were 0·87 per thousand, Scotland was next, and so on until they came to South Wales, where the hours were longest.

*Mr. KEIR HARDIE: I quoted figures from the Mines Inspector's Report.

*Mr. RIDSDALE said he had not got those, but he had got a summary of the Report of the Committee presided over by the hon. Member for Gloucester. The Committee reviewed all the figures which the hon. Member presented, and after giving considerable time to analysing them, the Committee reported thus—

> "We may, however, remark that we have failed to obtain any evidence which would associate the number of accidents in any disproportionate degree with the hours in excess of eight spent underground by the men, or with the districts in which the longest hours are worked."

He thought the Committee might be fully trusted to look carefully into the figures of the Miners' Union, and of the medical officers of health, before they gave forth their considered opinion as to all the dangers which might arise. But there were further figures in that Report, which really seemed to imply that the coal miner's business was one of the safest in the whole country. There was a very disastrous disease known as phthisis, and there appeared to be some disinfecting element in the coal seams, for it would seem that miners were less liable to consumption than were the great majority of the population of the country. They heard from the hon. Member for Glamorgan that the dangers in coal mines were very very serious, and the hon. Member worked up the feelings of the House by an account of a very serious and unfortunate accident which occurred in Lancashire. Well, he hardly thought that it was fair argument to harrow the feelings of hon. Members in considering a Bill of this kind. It was an argument which could not have any possible bearing on the Bill at all. But, including all the accidents to which coal miners were liable, what did they find? They found that the number of deaths among coal miners was less than they were among occupied males; and much less than accidents amongst all adult males in the population.

Mr. WILLIAM ABRAHAM: Not in South Wales.

*Mr. RIDSDALE said that this Report was by a Committee which sat and received evidence both from South Wales and all over the country, It was a general statement to be found on page 48 of the Report to which he referred his hon. friend. He respectfully submitted that when they were asked for the purpose of one section of the community to impose limitations upon the whole of the members of the community, they ought to have some reasonable case set out as to what injuries people were suffering from who were to be prevented from working these extra hours. So far as he had heard, there was no case at all. They knew that this clause affected only coal miners, who were to be prevented from being underground for a longer period than eight hours. Why was it only applied to coal miners? There were other miners in this country who did not happen to belong to the hon. Member's federation, and who did not happen to have such political influence among them; and who had not the same chance of giving forcible expressions to their wishes. He thought, however, that it was incumbent upon their fellow working men to see, when they brought in their Bill, if its principle was right, that the allied industries—the lead-mining, tin-mining, copper-mining, and other mining industries—were also included in its provisions. He had said that he was going to vote for the Amendment. Well, he was, and he only trusted that a few more hon. Members on his side of the House who thought and felt as he did upon the matter, but who had not yet given expression to their feelings, might have courage to follow them into the lobby and vote in favour of the Amendment also.

Mr. BOWLES (Lambeth, Norwood) said he hoped that the House would realise that the Amendment raised the question of principle involved in the Bill. If he ventured for a few minutes to make some observations on this matter, it was really because he was able to take some little part in the discussions on the Bill in Committee, and also because it appeared to him, as the hon. Member for Brighton had said, that the measure affected, not only the coal miners, but much more greatly the whole body of the people of the country. The noble Lord who moved the Amendment said truly that the Bill introduced a novel principle in legislation, in that it interfered with the freedom of adult males. That was so. The Home Secretary had quoted instances in which there had been small interferences with adult labour in the past, but those interferences were all indirect. Even the interferences with the labour of women and children, when direct, were clearly not made in the interests of the class of people employed, but in the interests of the country at large. In supporting the Bill he was quite free from prejudice, or from any desire to oppose what was good and proper legislation. What were the grounds on which the proposed legislation was supported? That legislation would affect three classes in the country. First of all, the coal miners; secondly, the coal owners; and thirdly, the general public. The first question he asked was, what case had been made out for legislating for coal miners out of all the classes of labour throughout this great industrial community? And let it be remembered that the legislation asked for was admittedly of an altogether unprecedented character. He ventured to say that the class which was calling out for this special legislation was, without exception, the best organised in the whole country, the best paid, the least hard-worked, and that which had more leisure than any other class. And yet the hon. Member for Glamorgan, and other Gentlemen below the gangway, came before the House and made pitiful appeals on behalf of the miners. They said: "Consider the case of these wretched miners who work underground, and are exposed to all sorts of risks of accidents." He knew from experience, and he had had it from miners themselves, that if anyone were to go to any ordinary collection of miners in their villages, and suggest to them that they were the sort of people who were deserving of pity, they would laugh at them. No, he did not believe that the miners were the most hardly pressed class of workers in the community, and he said that legislation of this sort should not be made in the interest of the most powerful and the most thoroughly organised labour class in the country. The hon. Member for Glamorgan said that the miners of the country stood solid in favour of the Bill. The Leader of the Opposition had asked whether it could really be said, and he asked also whether hon. Gentlemen below the gangway seriously contended, that the miners of Durham and Northumberland were, in any real sense of the word, in favour of the Bill. He was informed that the position as regards Northumberland and Durham was this—and if his information was not accurate hon. Gentlemen below the gangway would have full opportunity of contradicting it. On 25th June, 1903, a ballot was taken among the miners of Durham, and the result was a majority of 19,942 against the Bill. That vote had never been rescinded, and no effort had ever been made to take a vote on this or any other Bill. He should like a specific answer to the question as to whether that was a fact, and if a fact, he should like to know how the hon. Member for Glamorgan could suggest that the miners of the country were thoroughly solid in favour of the Bill. With regard to Northumberland, the case was almost equally strong. A poll was taken on 21st May, 1906. The total poll was something like 17,000 voters, but only a bare majority—465—voted in favour of the Bill. But the total number of persons capable of voting in Northumberland was 46,000. He was dealing with the question of whether the miners wanted the Bill. The hon. Member for Glamorgan said that they did; but would any hon. Member representing the miners in Northumberland or Durham assure them that that was so? He assured the House that he did not wish to put a gloss on the facts, but the House, as the Bill had come before it, was entitled to know what the facts were, and when hon. Members went upstairs and assured the Committee and the House and the country that the miners were solid in favour of the Bill, it was to be observed at any rate that they had never given them the figures or facts upon which they based their opinion; they had to rely upon that important subject solely on their assurances. So far as he was concerned he gravely doubted whether, at any rate so far as Northumberland and Durham were concerned, the statement of the hon. Member for

Glamorganshire, that the miners were solidly in favour of the Bill, could be substantiated. But his main objection to the clause from the miners' point of view was this. The Home Secretary had said that to bring in at once the provisions of the Bill, which were to obtain at the end of three years as it now stood, or five years if the Amendment was carried—that to bring in a Bill including certain workers at once would involve serious danger in the working of the mines. Let the House realise what that meant. In five years if the Bill was passed they would be bringing upon the whole of the mines of the country a state of things which it was admitted would, if it were introduced now, involve great danger to the working of the mines. Surely it was legitimate to ask what security was offered that at the end of five years the danger would be less than it was now. Was it reasonable to ask the House of Commons to pass a measure involving thousands of lives and a great industry of this kind on a mere speculation that during the five years some new, unnamed, unknown invention, unhinted at by hon. or right hon. Gentlemen or anybody else, would suddenly be discovered in order to get the Government out of the difficulty with which they would, if they passed this clause, be face to face in five years time? He thought that was a most rash and wanton thing to do, and he had never heard any reason, and he doubted whether any could be adduced, to justify them in doing it. If that alone were his objection to the clause, he should feel perfectly justified in going into the division lobby against it. So much for the effect of the Bill upon the conditions of the miners themselves; but he said they were not a people who ought to be singled out for special compassionate treatment. It was doubtful whether they wanted the Bill and whether those who said they wanted it really understood it. They were passing a Bill to come into operation five years hence which, if it were passed now, would produce a state of things which would be thoroughly dangerous, and which there was no reason for believing would be any less dangerous then than now. With regard to the coal owners, who were also affected by the Bill, he said nothing. There were several of them in the House well able to speak for themselves, but surely the House ought, in dealing with this matter, to have put before it clearly the case of the consumer of the coal. In the first place, in a special degree the consumers of coal represented the whole body of the country. There was not an individual in the country who was not in a direct way a consumer of coal. He was a consumer in his household and in many cases was afforded employment by the use of coal. And further there was this reason. Coal was, after all, a prime necessity. Whatever else manufacturers and others might be able to economise upon, they must have coal if their industry was to continue, and the effect of a shortage of coal had been admirably pointed out in the Report of the Committee. In their admirable Report the Committee said that a very small shortage, a shortage of two, or three, or five per cent., would result in the prices of those things which everybody must have rushing up far beyond what might be expected in the case of an ordinary commodity, and that famine prices would soon be reached. He could assure the House that he had done his best to see how there could be any real practical meaning in the contention which his hon. friends had all along made, that the Bill would result neither in a decrease of the output, nor in an increase of the cost. He should like to put to them quite clearly and seriously his view. This clause was to shorten the hours of work in the mines. Hon. Gentlemen below the gangway told them that after the Bill had passed and the hours had been shortened, the output was to remain the same. There were only three ways in which those conditions could be fulfilled if they were going to make men work less time and not produce less coal.

*MR. W.T. WILSON (Lancashire, Westhoughton): Will the hon. Gentleman tell us how many hours the colliers work now?

MR. BOWLES said he could not tell the hon. Member, and he could inform himself as well as he could by reference to the Report of the Committee. His question had no relevance to the subject. They were going to shorten the hours per day in coal mines and keep up the output of coal. There were only three ways in which that could be done. The men had either got to work harder than they were working, or they must work more days a week than they did at present, or else more men must be employed on the work. Those were the only ways conceivable in which they could shorten the hours and get the same amount of work. Take the first two, that the men must work harder or work more days a week. Did hon. Gentlemen below the gangway mean to let the House understand that they recommended the Bill to their constituents on the ground that they would have to work harder while down below? Did they understand that the Bill would benefit them because, while they would not have to work any harder while they were at work, they would have to work more days a week? He thought not, and he submitted that if the hours were to be shortened by the Bill and the output was to be the same as it was at present the alternative to which they were driven was that more men would have to be employed, and of course that meant an increase in the general expense of raising the coal. After all, what were they quarrelling about? It was agreed that the effect of the Bill would be to raise the cost of production. The hon. Member for Merthyr, who was a supporter of the Bill, and whose authority to speak on this matter nobody would doubt, told them in Committee upstairs, and repeated it in a letter to the *Daily Express* on 28th October last—

"I have repeatedly stated that the increase in cost in South Wales"

—which, after all, was an enormously important district—

"would be very considerable—probably eightpence to tenpence a ton, unless the system is altered."

Everybody surely must know that the cost of production must be increased, and it was impossible for the House to believe that it would not be increased by the Bill. If the cost of production was increased the cost to the consumer must be increased, in his belief, very much more. The effect of that would, of course, be as bad as possible for the whole country. He had considered this matter to the best of his ability, and, in spite of the vehement denials of hon. Gentlemen, he believed sincerely and honestly that the real object of the Bill—which had been frequently alleged and never repudiated by any federation—was by decreasing the output and raising the price to increase the wages of this highly-leisured, prosperous, well-to-do, and well-organised class at the expense of the whole mass of their fellow-workers and of the community generally. Having arrived at that opinion. which, although he might be mistaken, was an honest and sincere opinion, it appeared to him that it was a demand which ought not to be made upon them and which could not be defended on any real consideration of public expediency. Inasmuch as that principle was involved directly in this first clause, he should feel bound unless some much more serious reason than had been adduced either in the House that day or in the Committee upstairs was forthcoming, to support his noble friend in regard to the Amendment he had moved.

*SIR. C. J. CORY (Cornwall, St. Ives) said the hon. Member for Merthyr had striven to prove that the death rate in different districts was affected by the hours of work, and he had told them that in Scotland in 1896 when the hours were ten, the death rate was 1·62 per thousand, whereas he said in Wales at the present time where the hours were longer the death rate was 1·70. As a matter of fact, he did not think that would prove his argument, because the Departmental Committee's Report stated that the average hours in South Wales at present were nine hours and forty-six minutes; and not withstanding that the hours therefore were shorter than they were in Scotland the death rate was higher. He thought that did away with that part of his argument. Then the hon. Member assured the House that in his opinion the passing of the Bill would in no way decrease the output of coal, notwithstanding that the Departmental Committee, after having sifted the evidence of experts from all over the country, came to a contrary conclusion. If hon. Members could make those statements to the House he could not for the life of him make out why they did not come to the Departmental Committee and make those statements there where they could have been sifted by experts and counter-evidence given. What did they find from experience in France? There they had an Eight Hours Bill for hewers only. There they had proceeded by steps, and in 1906, although the hours had only been reduced to nine, which was very little less than the number of hours they were working previously over the whole coalfield in France, they found that even that small reduction in hours meant a diminution in output of 1,600,000 tons. There the Legislature appointed a Committee to inquire into the probable effect of an Eight Hours Bill supposing it was extended to all the workers underground, and that Committee came to the conclusion that the reduction would be very great, he thought 6 per cent. in one case and 10 per cent. in the other. The hon. Member for Merthyr Tydvil had laid great emphasis on what he thought was the hardship of men being deprived of the sunlight for more than eight hours. He thought the collier should for that reason have an eight-hours day. They had heard, however, from hon. Gentlemen representing Labour that, if they got this Bill through, they intended trying to extend it to all other classes of labour. The contention, therefore, that it was men who worked underground who should have their labour limited was done away with, because they sought to do the same thing with regard to men working above ground. The Home Secretary had admitted that there were difficulties if the Bill passed with regard to Durham and Northumberland, and, in order to meet those difficulties, he proposed to put down an Amendment to extend the time before the Bill should come into operation in those districts. He would, however, point out to him that the Northumberland and Durham coal competed more particularly, and almost solely, as regards coal from this country, with the South Wales coal, and therefore, if that were done, it would give a very distinct advantage to the exporters of Northumberland and Durham coal as compared with the exporters of coal from South Wales. He really thought it would be hardly fair to give them that advantage. The Mining Association of Great Britain was opposed to making any difference between one coalfield as compared with another. The right hon. Gentleman said that he believed in bringing in this Bill he would lower the death rate, because the men who took up mining were generally the strong members of a family. If there was a weak member, he went into some other walk of life. As a matter of fact, the direct opposite occurred. If a boy had a weak chest or was consumptive, he chose to go underground rather than go to sea or where he would be exposed to the air. He did not think the death rate was brought lower by the weak members of a family going underground, but on the contrary was made higher. He submitted that if the Bill passed it would increase the death rate, especially as old men, who would have to hurry to their work and hurry at their work, would be very detrimentally affected. He was sure their health would be anything but improved; quite the contrary. The right hon. Gentleman admitted that the Departmental Committee considered that it would bring about a reduction of output. The methods they suggested to overcome that were that they should have improved efficiency of labour, multiple shifts, and that they should introduce coal-cutters. How were they to get improved efficiency of labour? He doubted whether they would get any difference in the working as compared with the present, and, so far as South Wales and Monmouthshire were concerned, the men would not agree to multiple shifts. Then with regard to coal-cutters, it had been shown that, if they had a rigid time-limit, they could not work them to advantage. The right hon. Gentleman seemed to think that, if the Bill came into force on a depressed market, prices would not be increased. He admitted that, if the Bill came into operation in a depressed period, the probability was that prices would not be very much affected for that time, because, when things were bad, collieries were very often stopped one, two, or three days in the week, perhaps more; and the probability was that, if the Eight Hours Bill was in operation at the time, instead of stopping two or three days, they would stop only one. Directly the trade improved, notwithstanding that the Bill might have been in force some years, they would, however, be bound to see the effect of the Eight Hours Bill. In booming times, as in 1900 and in the last year or two, it was generally accepted that the demand did not exceed the supply by more than about 5 per cent. That, however, had made prices go up from perhaps 10s. or 12s. to 20s. and 25s. per ton. If a shortage of 5 per cent. made prices go up like that and the Bill brought about a shortage of 10 per cent. or 12 per cent., they might have prices going up to 40s. and 50s. per ton. There was no limit to which they might not go.

MR. GLADSTONE: What coal are you referring to?

*SIR C. J. CORY: It does not matter what the coal is. We have had steam coal going up to 20s. and 25s. and bituminous coal going up to 18s. and 19s. per ton and over.

A LABOUR MEMBER: Who gets the profit?

*SIR C. J. CORY said the mine owners and the miners would get the benefit if it went up to 50s. and the poor consumer would have to pay. He made no excuse for opposing the Bill because he was in the trade, as he believed colliery owners might make colossal fortunes if prices went up for a few years, but he thought it would be bad for the consumer and for the industries dependent upon the coal trade and the country at large; and eventually those who owned the collieries in future years and also the miners in the future would suffer. The cost might not, as some hon. Members said, go up more than 6d. a ton or more than from 1s. to 1s. 6d. as foreshadowed by other Members, but that was no measure of the increase in price that might be brought about by the shortage caused by the Bill. The right hon. Gentleman said he thought that in view of the tremendous majority obtained on the Second Reading the House was bound to pass the Bill.

MR. GLADSTONE: No, I never said that.

*SIR C. J. CORY was sorry if he had misunderstood the right hon. Gentleman, but he referred to the big majority on the Second Reading and seemed astonished at the opposition now. He would point out that a very different feeling had arisen among Members in the House since the Second Reading. They had learned a good deal since then. Not only had opinion in the House altered, but opinion throughout the country also. Public opinion had been very much educated since that time, and, whenever the Bill had been put before the country at bye elections, the electors were, as the right hon. Gentleman admitted, very much against it. He had heard it on the authority of Members on his own side that there was no measure before the country more unpopular than the Coal Mines (Eight Hours) Bill. The hon. Member for South Glamorgan said that those who opposed the Bill were opposed to other measures which were for the benefit of the working man, and he instanced the Workmen's Compensation Bill, saying that when it was before the country the effect that it would have upon trade was exaggerated. But, as a matter of fact, it had put up the cost of working.

MR. D. A. THOMAS: On a point of order, Mr. Speaker, I suggest the hon. Member is not speaking to the Amendment and is not in order.

*SIR C. J. CORY: The Workmen's Compensation Act has been alluded to, and I think, therefore, I have a perfect right to refer to it.

*MR. DEPUTY-SPEAKER: The hon. Member has not a right to go into the whole history of that Act, but, if he is referring to it as a particular instance, he is in order.

*SIR C. J. CORY said that that was what he was doing. It was referred to by the hon. Member for South Glamorgan. He said it did not increase the cost of working, and that the Coal Mines (Eight Hours) Bill would not increase it either. He begged to point out that at the Oddfellows Congress this year one of the delegates from Birmingham said that, whereas formerly when a man who met with a slight accident went to the hospital and returned to work in a few hours, he was now away from work three weeks, and that, whereas formerly a man who met with a more serious accident was away three weeks, he was now away three, four, or six months.

MR. WARDLE (Stockport): Does the hon. Gentleman suggest that that increases the cost of work?

*SIR C. J. CORY said that of course it did. If a man stayed away three months instead of three weeks and got compensation all the time it very materially increased the cost of working. The hon. Member for South Glamorgan said that practically the whole of the colliers throughout the country were unanimously in favour of the Bill, but, as had been pointed out, the colliers of Northumberland and Durham were as opposed to it to-day as ever. [LABOUR cries of "That is not true."] He understood it was a fact that they were not actively opposing it now for the reason that they had joined the Miners' Federation, and in order to do so they had had to accept the whole programme of that federation, one item of which was the Coal Mines (Eight Hours) Bill. Although they were not in active opposition to the Bill, they were, he understood, as opposed to it as ever. Having joined the Miners' Federation, they were not in a position to oppose it. Then, with regard to Lancashire, he would quote the speech of the hon. Member for Ince, who addressed the miners at Wigan. He stated that they did not want the Bill there and did not mean to have it unless the Miners' Federation forced it upon them. Apparently the Miners' Federation had forced it upon them. The Forest of Dean were at first in favour of it, but, after a discussion of about two years, they opposed the Bill. They were told they were now in favour of it, but it was possibly in the same way as Northumberland and Durham and Lancashire were supposed to be in favour of it. It could not be said with truth or justification that the whole of the colliers were in favour of the Bill. He went further. If the colliers in every district were to copy the example of the Forest of Dean and thoroughly debate the question, he believed they would find a great many miners who were to-day in favour of it would be opposed to the Bill. The hon. Member for South Glamorgan referred to the lamentable accident which took place in Lancashire recently. He said that, if the Bill had been in force, the probability was that the accident would not have occurred.

MR. GLOVER (St. Helens): He never said anything of the sort.

*SIR C. J. CORY was sorry if he misunderstood the hon. Member, but he thought he made some such statement. He did not want for a moment to misrepresent him, and he would not therefore labour that point. There was really no necessity for legislation in order that the miners might obtain what they wanted in the shape of reduced hours, for there was no trade union in the country so powerful as that of the miners. They had been told that it might mean a strike if the miners did not get what they asked for through this Bill. But they had not made any demand on their employers. As a matter of fact, they had never formally demanded of the employers what they demanded in this Eight Hours Bill. ["Oh."] They had never formally demanded of the employers of this country an eight-hours day.

MR. GLOVER: May I interrupt the hon. Gentleman, because his statement is not true. The Miners' Federation of Lancashire appealed through the Secretary to the Masters' Association many times for the purpose of ascertaining whether the leaders of the employers could see their way to shortening the hours in Lancashire, for they knew well that we were working longer hours there than in any other part of the country. We have tried to get meetings, but we have on every occasion met with a refusal from the employers.

*SIR C. J. CORY said he did not dispute the fact that in Lancashire they might have demanded an eight-hours day, but Lancashire was not the whole country, and the miners of the country had never made this demand of the employers as a whole. They had never demanded it formally in South Wales or in Monmouthshire. If the miners had asked the employers for an eight hours day he did not say that it would have been granted, but as a matter of fact they had never demanded it as a whole. But even if they obtained it by legislation, it was not at all certain that it would obviate the dangers of a strike. The hon. Gentleman knew very well that the price lists of to-day were based on a longer day than eight hours, and the question was whether they were going to accept the same price lists as they had now when they had the eight hours day. If they would not, then the question would arise whether the employers would give them a higher price list. If the employers did not do that, then he presumed that there would probably be a strike, or if the employers sought to reduce the wages of the day men owing to the reduced hours it might cause a strike, so that the bringing about of an eight-hours day by legislation did not by any means obviate the danger of a strike. The real object of the Bill was to restrict output, and to increase the price of coal thereby, and in consequence increase wages as well. They knew that there was a conference of miners at Chester this year, and what was the demand made there? A resolution was proposed that the number of days a week that they worked should be restricted to five. The hon. Member for Hanley, with his accustomed common sense and caution, pointed out that they should not press that Amendment now, because it would cause alarm that there should be if this Bill was passed, not only a reduction of the hours worked per day, but a reduction in the number of days worked in the week as well, which would result in there being a still greater restriction of output. Further, as a matter of fact the miners at Tredegar only last month approached the management in regard to their hours. They worked long hours from bank to bank—far in excess of eight hours; yet, notwithstanding that, they had spontaneously passed a resolution requesting that their time from bank to bank should be increased by a quarter of an hour on four days a week and reduced an hour on one day in the week, which would still further increase the excess of time over eight hours on four days a week. In the circumstances he could not help feeling that the House ought not to pass this clause, and he should vote for the Amendment.

*MR. DUNN (Cornwall, Camborne) said he would not have risen had it not been for some of the speeches which had been made, particularly that of the hon. Member for Brighton and that of the hon. Member for Norwood. The question had been asked as to why they did not include the workers in tin mines within the four corners of the Bill. There was a reason why the tin-workers were not included. First of all, they must remember the vast majority of the tin-workers in the tin mines work by contract. Wages as understood in certain mines were unknown to them. A tin-worker was paid according to the amount of work he did, and he would ask the House for a moment to bear that in mind when he said that for many years they had had an eight hours day in the tin mines. They worked in those mines by a system of three shifts of eight hours each. They had therefore enjoyed for years this eight hours day which it was proposed to confer on the workers in coal mines. And that had been obtained not by any great agitation, and not by the force of a great trade corporation behind the men, because unfortunately the tin-workers—and he used the word "unfortunately" advisedly — had no trade union to protect their interests. But in spite of the fact that they worked by contract, they had, without the aid of a trade union, been able to obtain from the employers this eight hours day. [OPPOSITION cheers.] Yes, they were able by the force of their arguments to show the masters that it was to their advantage to adopt the eight hours day. [AN HON. MEMBER: That is an argument against trade unions.] No, it was not an argument against trade unions; it showed that the tin-workers succeeded by the force of their arguments, though, as he said, they unfortunately had not a trade union, and it showed that they had no fear of a decreased output. It was useless to argue against trade unions in these days, and he did not think that even the hon. Member for Norwood could get up and argue against them.

Mr. LUPTON (Lincolnshire, Sleaford): Do they change at the face or at the bank?

*Mr. DUNN said Cornish miners changed at the bank. His hon. friend the Member for Brighton said that he could not see that there was any real demand by the men for this legislation. He had examined the division list taken on the Second Reading of the Bill, and he noticed that, with hardly a single exception, no Member of the House who represented any large body of miners, whether sitting on that or the other side of the House, voted in opposition to the Second Reading. It had occurred to him that if Brighton or even favoured Norwood had been a mining district, the Members for those constituencies might, he would not say have voted for the Second Reading, but at any rate they would have been better informed perhaps as to the needs and requirements of the miners of the country. He desired to say one word in answer to his hon. friend and colleague the Member for St. Ives, who in reference to the death rate, told them that the low death rate among men engaged in coal-mining was caused by the fact that the coal mines were regarded as a kind of sanatoria—that if there was a weak member of a family he was just sent down into the coal mine to work long hours underground in order to cure him of the particular disease from which he suffered. He had the highest possible respect for the hon. Member for St. Ives, but he must say that he required a certain amount of confirmation in support of his statement. He observed that the hon. Gentleman in comparing coal-mining with other occupations referred to the sea, and he was careful enough to say that some boys sooner than be sent to sea preferred to go down the mines. He was not at all sure that any medical man or friends of a consumptive youth would advise either sending him to sea or down the coal mines. What they did know was that only strong and muscular men, with excellent health, were fit for the occupation of mining, and it was because the pick of our men were sent down the mines that the death rate among them was lower than it would otherwise be. They had been told by the hon. Member for Brighton that they would be voting against one of the first principles of Liberalism if they voted in favour of this clause because it would interfere with the liberty of the subject. He thought the House had often heard arguments of that kind. Many years ago when they were discussing the first Factory Act they heard the same argument, that they were imposing restrictions on a man's labour. Then, as now, they were told that it was against Liberal principles to interfere with liberty of action. He took it that the Bill was not an interference with liberty of action. If they were in favour of allowing men to work as long as they liked, surely they had equal liberty to work as short hours as they liked.

Mr. BOWLES: Hear, hear.

*Mr. DUNN: The hon. Member for Norwood said "Hear, hear." But he should remember that there were other things which very often tied a man's liberty besides Acts of Parliament, and it was because of such a tying up of his liberty that this Bill had become necessary. They knew that the miners in many districts, and they heard to-day in the vast majority of districts, were in favour of this demand, but up to now the men had been powerless to obtain it. The hon. Member for St. Ives said that the miners had not approached the employers, and the hon. Member for St. Helens replied that the statement was not correct. The hon. Member for St. Ives was naïve enough to confess that if the men had made the demand for the eight-hours day they might not have got it.

Mr. MARKHAM (Nottinghamshire, Mansfield): As a matter of fact the coal owners approached Mr. Pickard, representing the Miners' Federation, some few years before his death and offered to give the men an eight-hours day excluding both windings. Mr. Pickard refused that offer, insisting on eight hours from bank to bank. The object of the Bill, therefore, is exactly the same as the Miners' Federation of Great Britain was offered by the coal owners, I believe, in 1895, but I am not quite clear.

*MR. DUNN thanked his hon. friend for the interruption and the information he had given to the House. At any rate it was surely one of the principles of Liberalism that they should have the greatest good for the greatest number. His hon. friend said: "What about the consumer?" How anxious his hon. friend was with regard to the consumer. He suggested that the Bill would enhance the price of coal. The hon. Member for Norwood said: "Of course it would," and he was inclined to think he was right. He was inclined to think advantage would be taken of the passing of the Bill at first to put up prices. But he was confident, whether that was so or not, that the ordinary course of natural competition would very soon right matters, and although certain interested parties might seek to take advantage of the passing of the Bill in order to raise the price of coal, yet he was quite sure that before very long they would be forced in their own interests to bring it down to its normal point again. He should certainly vote against this wrecking Amendment.

*SIR PHILIP MAGNUS (London University) said it would be impossible to listen to any speech which would be more forcible in inducing the House to vote for the Amendment of the noble Lord than the speech of the hon. Member who had just sat down. He was asked why the miners engaged in other branches of mining work were not included in the privileges of this Bill, and his simple answer was, because they had made terms with their employers and had obtained the eight hours without legislation.

MR. DUNN: The hon. Gentleman will pardon me. He is putting it rather too generally. I was asked with regard to tin, and I replied with regard to tin.

*SIR PHILIP MAGNUS said he was referring only to the branch of mining with which the hon. Member was personally acquainted, and he had said that for many years the tin-miners had already enjoyed an eight-hours day, and they had obtained it simply by negotiating with their employers with respect to the number of hours they had to work. What they asked on that side of the House was why the coal miners could not do exactly the same thing. The hon. Member pointed out also that miners, as well as other persons, ought to have the right to work less than eight hours if they chose, and should not be compelled to work more than eight hours. Of course they ought to have the right to work any number of hours which they chose and which they could arrange with their employers. There had not been many speeches made in favour of this clause. There had been a conspiracy of silence as a means of obtaining a vote on the subject. He did not think that was altogether a wise proceeding, because they were really very anxious to hear what were the reasons which could be adduced, after the Committee stage of the Bill, in favour of this particular clause. He himself owed an apology to the House for intruding in the debate at all. He was not a coal owner nor a working miner, but he had attended very regularly the meetings of the Committee upstairs, and he had also read with some care the very valuable Report of the Departmental Committee on the subject, and he challenged anyone, even the Home Secretary, who had carefully studied that Report to say that it afforded any strong evidence in favour of the Bill now before the House. It had also been said by one of the few Members of the House who had spoken against the Amendment of his noble friend that it would be impossible for the trade union of miners to enforce these terms upon their employers, and if they endeavoured to do so, they would have to fall back upon a strike. He did not know exactly what was the object of a trade union unless it was to negotiate with their employers with respect to the conditions and terms under which they worked. It seemed to him there were many ways in which trade unions employed their funds which were not quite as profitable as that of endeavouring to obtain better wages or conditions of work for themselves, but he could not understand for a moment how it was that trade unions were unable to negotiate with their employers as to the terms and conditions under which they desired to work. If they were unable to do so, as the hon. Member for South Glamorgan said, and for that reason Parliament must interfere between the workmen and their employers, why was it not equally necessary that Parliament should interfere in all trades between workmen and employers; and, if so, where was the necessity for the existence of trade unions? Surely it was better, as had been done by the tin-miners, not to invoke Parliamentary legislation, but to endeavour to settle the conditions under which they worked between themselves and their employers. He should like to say that if for one moment it could be contended that the health of the miners depended upon reducing the number of hours during which they were under ground or if the safety of the mine were dependent upon that condition, the House, he believed, would unanimously vote in favour of this Bill. That statement had already been made by the Leader of the Opposition, and he was quite certain everyone in the House would endorse it. But had there been adduced any single argument to show that the health of miners suffered by the length of hours during which they were employed? If they turned to the Report of the Committee, which was a mine of information on the subject, they would see that after considering all the statistics which had been brought before them, the Committee deliberately came to this conclusion—

> "Therefore, judging from the general statistical information available, the occupation of a coal-miner cannot be considered an unhealthy employment."

Now they were told by the Home Secretary, and he mentioned it also in his Second Reading speech, that there were other statistics which the Committee did not consider. Those statistics were not before the House, and had not been before the Committee. It was to be regretted that if there were any statistics which would tend to a different conclusion from that at which the Committee arrived, they should not have been placed before the Committee. But they were also told it was only the strongest and healthiest men who engaged in this employment. That might be so. He did not doubt it, but there were many employments in which only strong and healthy men could engage. One would not send weaklings to undertake work which could only be carried out by strong men. There were many employments which could only be undertaken by strong men, but it did not follow that because strong men only could be employed in such work, therefore the general health of those who were employed would be injured if they worked half an hour longer than they were required to do under this Bill.

MR. GLADSTONE: May I just remind the hon. Member that on page 40 of the Report the Committee say that, so far as the evidence goes, it tends to show that the standard of health of the workers is lowest in those districts where the longest hours are worked.

*SIR PHILIP MAGNUS said the quotation he was making was on page 48, which came after the passage to which the right hon. Gentleman referred. As regarded danger, if there was one matter which was most carefully considered in the Committee, it was with regard to the danger which the miner incurred in carrying out his hazardous work; and he must own that he had not heard one single argument adduced upstairs or in the House to show that if the number of hours were reduced, the danger to miners would be decreased. On the contrary, with any general legislation of this kind, requiring that no person should be underground more than eight hours, it was essential, as was shown by the Bill now before the House, that there should be all kinds of exceptions to that general rule, and it had been part of the duty of the Committee upstairs carefully to consider what exceptions were necessary for the safety of the mine; and could it be said even now that they had considered every possible exception that was necessary? But he should like to point out that when any exceptional treatment of persons engaged underground was suggested with a view to the safety of the mine or of the miners, it was generally opposed by the whole of the miners themselves, and there was nothing which some of them more regretted than the fact that the working of half an hour more underground was regarded by the miners generally of more importance than the safety of the mine which might be endangered by a shortened period of work. He asked whether, during the course of this debate, any sufficient reason had been shown for this undue interference with the liberty of contract. The question of the liberty of contract between employer and employed was too often pooh-poohed. They were told that Parliament had already interfered with the hours of labour in the Factory Acts, but he need scarcely remind the House that those Acts referred to the working of women and children, and it was and would remain the duty of all men to protect by legislation as far as they could the safety and health of women and children. But he said distinctly that no single argument had been adduced for the general principle of requiring that miners should only work eight hours. Surely the onus of proof lay with those who introduced the Bill. He could find no valid argument for interfering in this particular trade more than in any other. On the other hand, anyone who read the Report would find that there were very strong economic arguments against the adoption of this first clause. It had been distinctly proved that the diminution of the number of hours of work must, as had been pointed out by other speakers, have a decided effect upon the output and consequently upon the price of coal. The Home Secretary had indicated a certain number of mitigations of the effect of the diminution in the number of hours, and they were referred to in the Report in a paragraph which the right hon. Gentleman read on the Second Reading of the Bill. It was, however, necessary to bear in mind that after giving all reasonable credit to those considerations to which the right hon. Gentleman referred, the Committee were nevertheless convinced that the establishment of a fixed eight-hours day, whether introduced suddenly or gradually by annual reductions of half-an-hour or otherwise, would be sure to result in a temporary contraction of output, and a consequent period of embarrassment and loss to the country at large. The Committee further stated that—

> "The extent and duration of this period would depend chiefly upon the intelligent and willing co-operation of both employers and workmen to reduce it to a minimum, both in the immediate interest of the public and the ultimate interests of the coal industry."

He did not want to dwell upon the serious effects of this increase in the price of coal, but he thought the consumer was the person who ought to be considered in legislation of this kind. It was not only the domestic consumer who would suffer, but, as had already been pointed out, the whole of the industries of the country would suffer in competition with the industries of other countries. The other point which had been raised was the question of danger. There was no one more sensible of the danger that might result from this shortening of hours than the Home Secretary himself. What did he say in answer to a deputation? He said—

> "But there is another point urged with regard to safety. Of course we all agree that one of the first considerations is the security of those who work in and about the mines, and it would indeed be disastrous if, by speeding up the machinery or hurrying the work of timbering, or interfering with anything connected with the safety of the men, we made the ratio of accidents much too great through faulty legislation. I quite agree that the views expressed on that point deserve close and anxious consideration."

What was the close and anxious consideration the Home Secretary had given to this matter? The result of it had been the postponement of the complete operation of this clause for a period of five years. That was the sole result of his "close and careful consideration," and yet they knew full well that if the periods of winding were included in the eight hours during which the miners were to work there must be a natural tendency on the part of employers to hasten those windings which was attended with considerable danger to the men. Why were they to expect that after five years the danger would be less than it was now?

MR. GLADSTONE: The hon. Member is quite in error in saying that that is the sole reason. He will see that there is an Amendment on the Paper dealing with the question of winding.

*SIR PHILIP MAGNUS said that was so, but the main danger to which the right hon. Gentleman referred was that connected with the hastening of speed of winding. And now, against the united wish of the miners he was proposing to put off this reform for five years; and why for five years only? It was his hope that during that time science might come to his aid and provide inventions which would make the danger less than it was at the present time. He did not know what claim the right hon. Gentleman had to speak in the name of science, but how did he know that science would come to his aid? Surely in legislation of this kind it would be much better to legislate from what he did know than upon such a hypothesis as that which he had put forward. When they came to that particular clause of the Bill he trusted that he would agree to accept the Amendment that the winding up and down should be excluded altogether from the eight hours, or, until such time as scientific invention had come to his aid to show that it was no longer necessary. He felt that he had no right to detain the House longer, but he would like to point out one other thing. They had been told they must follow foreign countries, that France, Germany and Holland had all introduced legislation of this kind. As he read the Report, legislation on this matter was very recent in foreign countries and they had not yet ascertained what might be its effec . The law was introduced in France in the year 1906, and according to that law the eight hours were exclusive of both windings and of periods for refreshment in the mines. Therefore, the French Bill differed in important particulars from the English Bill. If they took other countries they found the same result. There was another very strong reason for rejecting this clause, and it was that it proposed a uniform eight-hours day for the whole country. At present in some parts of the country the men men worked less, in others a little longer than that; and what reason could be shown for introducing this uniformity, having regard to the fact that different conditions must prevail in different parts of the country? Surely the mine owners, in co-operation with the workers, might be allowed to determine the number of hours they should work. Personally, he felt that no case whatever had been made out for the introduction of this clause into the Bill, and he hoped that all hon. Members who cared for freedom of control and of competition would agree with him that no sufficient reasons had been adduced for legislative interference with this particular trade, and he trusted they would vote in favour of the Amendment of his noble friend.

MR. LUPTON said he made a long speech on the Second Reading, and he did not mean to do so again on this clause. Two eloquent speeches had been made in support of the clause already. The hon. Member for Merthyr Tydvil mentioned the case of the Scottish miners who used to work ten hours a day and were now working eight. They had managed without Government interference to get an eight hours day in Scotland, and he took it they got it because they wanted it. He had yet to learn that the miners of England could not get an eight hours day if lthey wanted it. The hon. Member for Camborne said the men in the Cornish tin mines had not got a powerful union, but without any union they had met the owners of the mines, and they had got an eight-hours day. There they had two good illustrations showing that without a clause of this kind the miners had been able to get what they wanted. What they were being driven to by the supporters of this measure was not to give what the miners wanted but what they did not want, and that was what was being forced upon them by this Bill. [Cries of "No."] That, at any rate, was the fact as regards Durham and Northumberland. As the hon. Member for Norwood had stated, there were hon. Members in the House who were in a position to contradict that statement if they could, but they had not done so because they knew it was true. They knew that the miners in Durham had voted against an Eight Hours Bill, and that if it was forced upon them it would be contrary to their will. The miners of Yorkshire, Staffordshire, and part of Warwickshire already had a sort of eight-hours day, although it was not exactly the same as would be forced upon them by this Bill. Nevertheless it was one which was quite satisfactory to them. For more than forty years Yorkshire miners had had an eight hours day, and so had the miners of Derbyshire. The miners in Yorkshire liked an eight hours day, and those in Derbyshire preferred a nine hours day, and why should the Yorkshire miners force their will upon the Derbyshire miners? He was speaking from his own experience of Derbyshire miners, for he had worked a miners eight hours shift himself. [AN HON. MEMBER: Where?] He did not mind telling the hon. Member privately. The miners in the district he was referring to adopted two nine-hour shifts, and their wages went up 1s. a day because they were working piece-work. If they reduced their hours from nine hours to eight, of course their wages would go down 1s. a day, and there would be a jolly row in that district. This measure was one which would tend to make strikes wholesale in Lancashire, Durham, and Northumberland, because it would cause such a disturbance in their systems that prices would have to be altered and wages would go down. Miners would not take lower wages until they were forced, and if they found that the effect of the Bill was to reduce their wages they would kick up a row and ask for a revision of prices; whether they got that or not depended upon the state of the coal trade at that time. Of course, if the owners put up the prices and got larger profits they would be ready to pay almost any wages that were asked, and they would do everything they could to facilitate the miners and meet their demands when trade was good. If owners were getting 5s. or 10s. a ton extra they would not mind giving the miners another 1s. out of it, and they might give them another 2s. 6d. if necessary. What he said was that the condition of trade would be such after the passing of the Bill that they would have to revise their prices. He was certain that the effect of the measure would be to restrict the output. It will have a great effect on the market. Production would be very far from its maximum, for there would be a reduction of 10 per cent. in the output. That would send up prices to any extent they liked to name. No one knew how much the increase would be, but it would be very considerable. The miners would, of course, get the rise they wanted, and everything would go very sweetly. It was the public who would have to pay. In previous booms the increased price had come from the outside. The iron trade had been good, and coal owners had been able to get a rise in price, and miners a rise in wages, and no harm had been done. That was because the iron trade and general trade had been good. This new increase would come when the iron trade and general trade was not good, and hundreds of thousands of men would be thrown out of employment. They would not be the ordinary out-of-works—men who could not work if they wished. They would be real men, the men who had made England what she is, men of strength and muscle, and if they were thrown out of work through the operations of the law, they would have something to say that would be disagreeable to those who had to hear it. He would have to support the Amendment. It was a drastic Amendment, for if they omitted Clause 1 there was little left of the Bill. The hon. Member for Glamorgan, who was one of the best speakers the miners had, had appealed to the human side of the case. He (Mr. Lupton) had been glad to hear that appeal because he wanted the House to attend to that side. They had heard too much of what the mine agents wanted, and what the colliers wanted. What would happen under the Bill to the man who was a little past his prime? He would have to rush to his work and would have little time for rest in his working hours. He himself had rushed through mines in his younger days; he went more gently now, and knew what it would mean to those men. The hon. Member for Camborne, if he wished, could tell the House how many tin miners had died from disease through rushing up and down ladders.

*MR. DUNN said that was a new suggestion. Although they had had many reasons advanced they had never heard of that suggestion before.

MR. LUPTON said that statement showed that the hon. Gentleman was new to the question. It was a commonplace that the early death rate through the exertion of rushing up and down ladders was very great. If the House started colliers running, it would kill a great many of them. He was sorry hon. Members laughed, but there had been an appeal to humanity, and he wanted humanity to be considered. They were going to drive a great many men in sorrow to the grave. It was necessary for the managers to keep up the receipts of their mine, and if there was a man who did not earn sufficient money, they did not want to keep him, for the miners' agents would say the men were not earning a good wage, and there must be a rise in price. A great many of the men now working and keeping themselves and their families would be forced into the workhouse. If the appeal was to humanity, he said humanity was against the Bill. They were told that accidents would be reduced under the Bill, but the number of accidents was small compared with the number of deaths there would be due to rushing which the Bill would cause. The Home Secretary had tried to show that there would be some saving in human life and that if they reduced the number of hours from ten to eight, they would reduce the number of accidents. The miners' agents had said, however, that the number of days work would be increased and that would increase the number of hours worked. If that was not so, the number of men would have to be increased, and if they had more men underground they would probably have more accidents. The miner who worked four days one week and five the next, had a good week-end clear from the mine, but now he was to be forced to go down the pit six days a week. That would be slavery to the miner. A man might have an hour's walk underground to his work and an hour's walk back again. That would be unproductive labour which he would have to undertake six days a week. The great bulk of the colliers would sooner work a longer number of hours while they were there, than be forced to go down the pit six days a week for the same amount of work. They were asked to pass that Bill in the name of humanity, but colliers only worked on an average forty-three out of 168 hours in a week, which meant that only a quarter of their time was spent underground, and of that they were not working all the time. Many colliers believed that that was a Bill of a very different character from what it actually was. They imagined it was a Bill fixing the hours of work. Even some of their Members of Parliament thought the same. The hon. Member for Wolverhampton West had moved an Amendment in Committee upstairs—

> "Whereas at the passing of this Act the hours of labour underground, etc."

The hon. Member had had the idea that the Bill dealt with the hours of labour, but it did nothing of the sort; it dealt with the hours underground. It was like saying that the hours a man spent in a train going to and from his work were hours of labour, whereas they were simply hours of travelling. The Bill was merely one for fixing the hours underground; it was not a Bill fixing the hours of labour at eight. The Home Secretary and the hon. Member for St. Helens had made the same mistake as other hon. Members in Amendments which they had brought forward. The French Act had fixed the hours underground and had left out the time for rest and refreshment, enforcing a maximum of eight hours for labour. They knew eight hours labour was long enough at a time, and if left to themselves, the men were not likely to work much longer. The Bill, however, had reduced the hours practically to six a day. That was a very arbitrary measure. It was very arbitrary to say to a strong collier in the prime of his life, when he might earn money to save for himself and his family in order that he might be independent, that he must not do more than a certain amount of work. The Government side of the House was elected in the cause of free trade, but that was not a free trade measure. It was not fair to interfere with a man's right to sell his labour and to prevent him from earning more than £1 a week. It was with very great sadness that he had to oppose the measure. But he objected to it because it was opposed to all the great principles of his life, and to all the principles for which the Liberals fought at the general election. He objected to it on the grounds that it would be oppressive to the poor working men and their families, because of its effect on the coal market and on the hundreds of thousands of people who were dependent on coal for carrying on their industries. For these and other reasons he hoped the House would accept the Amendment.

MR. BONAR LAW: Like the hon. Member opposite I do not think a Second Reading debate is necessary in regard to this clause. I have no intention of trying to make a case against the Bill as a whole. All I intend to do is to take up as well as I can, at any rate as well as I can remember, some of the arguments which have emerged during the discussion, to which importance may be attached by some hon. Members. My right hon. friend the Leader of the Opposition put to the House, and more particularly to the representatives of the mining industry, who are far more interested than the Government in this matter, three questions. An attempt has been made to answer two of them. The first question had reference to the speech of the hon. Member for Glamorgan, who said, that we talked only about prices, but let us look at humanity. I think everybody will recognise the soundness of the argument. If it can be shown that either health or safety is injuriously affected owing to the length of hours of a miner's occupation, then a case is made out for the House of Commons to consider. An attempt was made to answer that point by two hon. Gentlemen, one the hon. Member for Merthyr Tydvil, and the other the Secretary of State for the Home Department. As it happens, one of these Gentlemen gave a defence which was denied by the other, and both gave a defence which was contradicted by the Report of the Special Committee. As regards health, the Home Secretary read a paragraph in the Report of the Committee which pointed to the fact that there is a greater amount of illness in some districts where the hours were longer, and in other districts where the hours were shorter than eight hours. But here is a summary of the evidence in the Report—

> "Judging from the general statistical information available, the occupation of a coal miner cannot be considered an unhealthy employment."

That is on page 48 of the Report. But the right hon. Gentleman said that the men working in coal mines were picked men, men of special strength, and that delicate men and boys were never sent into the mines. Now, I have made actual inquiries about this matter. I have a great many friends in Scotland who are coal owners, and I put the point to them, and this was the answer I got. They said that so far from its being the fact, comparing the coal trade with other trades which require a certain physical strength, such as iron workers, the comparison was in favour of the men engaged in the coal trade. They lived to a large extent in villages. Then their children naturally followed their father's occupation, and only those who were unfit for work in the mine on account of lack of physical strength or physical defect, were sent to other occupations. Therefore, I think that the argument of the right hon. Gentleman falls absolutely to the ground. In regard to accidents, the hon. Member for Merthyr Tydvil, whose moderation I am pleased to refer to in the House, said that these accidents do diminish in proportion as the hours of labour in the mines are diminished. The hon. Member talked of Scotland, and compared 1896, when the hours of labour were longer, with 1906, when the hours were shorter. The number of accidents he said were less in the latter year than in the former. Was there ever a more flagrant case of *post hoc propter hoc?* If it was true that the diminution of accidents is due only to the shorter hours, what has been the use of all the efforts made by the miners' representatives during the last twenty years to get the general conditions in the mines improved? I prefer the opinion of the Committee, which was at least impartial, and who took a good deal of trouble in their investigations into this question. In their Report that Committee said:—

> "We may remark that we have failed to obtain any evidence which would associate the number of accidents in any disproportionate degree with the hours in excess of eight spent

underground by the men, or with the districts in which the longest hours are worked."

Their conclusion is that there is no connection whatever between the two. But, as a matter of fact, the case is stronger in the other direction; instead of diminishing the number of accidents this Bill is going to increase them. That was admitted by the right hon. Gentleman himself in a speech he made in Committee upstairs, when he said—

> "I do not say that the danger to accidents will cease in five or ten years. but the danger will be reduced."

Here we have the very Minister responsible for this Bill actually saying that the Bill, if it became law, instead of diminishing the danger arising from accidents, will increase it!

Mr. GLADSTONE: The hon. Gentleman should read out the context of that sentence. My impression is that I was speaking with regard to the special danger of winding.

Mr. BONAR LAW: The right hon. Gentleman was speaking as to whether three or five years should be the probationary period. There is nothing about winding in the notes I have. He said that there is danger and that he did not say that it will cease in three or five years. Did not that mean clearly that, to some extent at least, the Bill is going to increase the danger? The second point raised by my right hon. friend was one with regard to which there had been no attempt at any answer. My right hon. friend said in effect to the representatives of the mining industry, the existing conditions in Durham and Northumberland are acceptable to all the men, but what is quite true, the boys work longer hours—though they are not really boys but lads. But let the House remember that they are a class which in the process of time will themselves get the advantage of the shorter hours now enjoyed by the older men. Now I admit that it is a hard thing that the young should have these longer hours, but that difficulty applies all round. It applied in my own case when I went to an office. It is the lads who get the longer hours; as they grow older and rise their hours become shorter. If you find that on the whole the class engaged in this particular trade do not object to the existing hours, surely that is a strong point for leaving them as they are. Do the Gentlemen who are responsible for this Bill and the miners' representatives intend to deal with that question? We are entitled to an answer. There are representatives of the miners here who are not taking any part in these discussions. I would like to hear what they think. Here is what the Special Committee said on the point—

> "To the solution of the problem we found both the employers and workmen had given much more serious thought than appeared to have been the case in other districts; and notwithstanding the difficulty of substituting for the present varied and elastic system one of greater rigidity and uniformity, we are convinced that, whether by the institution of three shifts of hewers, or two uniform shifts of eight hours for all classes, or by some other arrangement, the same organising ability and the same co-operation between the employers and workers which has evolved the present system, would succeed in evolving a satisfactory substitute for it should the necessity arise. We found it to be the opinion of all the witnesses, however, that this could not be accomplished without some increase in the numbers of underground workers, and some addition to the cost of production."

Here again, I am quite ready to be corrected if I am wrong, but I am informed that in Northumberland and Durham the position was put to the men in this way. They were told: "You only work six and a half hours and this Bill only refers to the maximum; therefore, nothing that can happen will make your hours of work longer." Obviously, if this is true, then one of the alternatives of this proposal is missed out, namely, that there will be eight hours work for the hewers as well as for the other people in the mine. I say, therefore, that when representatives of the workers in a great trade like this come to the House and admit that this problem is facing them, and that they have no idea how to find a solution, that is really playing with the House and with Parliament. But more than that, the hon. Member for Glamorganshire hinted that, if we do not pass this Bill, there will be the danger of a strike, and that the men would fight for it if it could only be got by a strike. I say that on every page of this Report there is a clear indication that it was in the mind of the Committee that so many novel subjects will be raised giving rise to disputes that there will be a grave danger of strikes in consequence of the pasisng of this Bill. I have been told by gentlemen connected with the coal trade in Northumberland and Durham that, in their opinion, this difficulty in regard to the two counties will not be got over without a strike. We have here the representatives of the coal miners in those counties, and if they will get up and say that I am talking exaggerated nonsense and that there is no danger of strikes arising, it would be a real relief to me as well as to the House. The next point raised by my right hon. friend was this. He pointed to districts like Lancashire and South Wales where the hours of work are longer, something like ten hours, and they are to be reduced by two hours. He said quite obviously, I think, that, given the conditions as at present, either you will have to raise the price of coal or wages will fall. What attempt has been made to deal with that point? The hon. Gentleman the Member for Merthyr did make an attempt to reply to it, and his answer was that he thinks the output will be precisely the same in eight hours as it has been in ten, and his reason for coming to that conclusion was that the men would work harder in the shorter time and give out a larger output. He gave figures in support of that contention, but they are figures with which I am not acquainted as they relate to the trade in the East of Scotland. I have the figures here relating to Lanarkshire, where the coal trade has been much more developed than it has in the East of Scotland. In Lanarkshire, in 1900 they got an eight hours winding day. The average output per man for the four years preceding 1900 was 472 tons, and in the four years succeeding it was 421 tons. That was to say, there was a falling off in the output per man to just about the same extent as the shortening of hours, in spite of the improvement in the methods of production.

MR. KEIR HARDIE: Will the hon. Gentleman tell us at the same time the number of days per week the colliers worked for the two periods.

MR. BONAR LAW: I have that stated in the Report from which I am quoting, and the statement is that they were practically the same in both cases. In any case precisely the same criticism can be made in regard to the figures which the hon. Gentleman gave from the East of Scotland. So much for the idea that the output is going to be the same working 20 per cent. less time. My hon. friend behind me quoted a resolution of one body connected with the Miners' Federation which admitted that there was going to be a rise in wages and the price of coal as the result of the passing of this Bill. The hon. Member said we had no right to refer to that until the whole Federation had passed it, but I think we have a right to say, not that the Federation agreed to it, but that the only body of miners who considered it have plainly stated that that was their interpretation of the Bill. There are a great many members of the federation in this House. Will they undertake if that resolution is introduced to vote against it? If they refuse I think the House can draw its own conclusions.

MR. BRACE: May I point out that there has been no consultation with the men, and we can give no undertaking when we have not consulted the men.

MR. BONAR LAW: That strengthens very much what I have said. These Gentlemen who tell us that the prices are not going to be raised can very well tell us what their vote will be when the question is raised, but there is another consideration which ought to be taken into account. The hon. Member for the Ince division of Lancashire made a speech which has not been denied in the least. He said quite openly and honestly that the effect of this would be that 4d. a ton would have to be added for the hewers' wages and 2d. for the other persons engaged in the trade. That was 6d. a ton, and it will have to be paid not only in good times, but in bad times. But that is not all. There are other charges which must rise with the wages, and nobody can dispute that there is going to be a rise in the price of coal as the result of this Bill. By the admission of the Miners' Federation, who introduced this Bill, there is going to be a rise in the price of coal. The Home

Secretary says that any substantial rise would be a great misfortune to this country. I go further than that and I say that any rise due to other than natural causes, however small it be, will be a grave misfortune from every point of view to this country. [Ironical MINISTERIAL cheers]. Hon. Gentlemen opposite, if they have any desire to get this Bill through, are not taking a very wise course in raising the issue which they have. I can assure them that it is an issue that I am never afraid of. But since they have raised it, may I point out this as some answer to those cheers? Even the addition of 9d. a ton on coal admittedly and undoubtedly would mean an addition of 40s. per ton on the price of the kind of steel which is coming into this country. That is a 5 per cent. preference to the foreigners who are sending in that kind of steel. I therefore do not think that hon. Members have scored very much; but the subject is wide enough without our bringing in side issues. I say that a thing outside of natural causes which would raise the price of coal is going to be a bad thing for the trade of this country. We know—and that is admitted by everyone, whatever view he takes of fiscal policy—that we have suffered from a competition which we are told is due to the natural advantages of other countries in regard to raw materials. The one raw material in which we have an advantage over European countries, though not over America, is our coal. There is another side of this policy which has to be considered. It is quite true, as hon. Members have said, that if a change like this is made in time of falling trade it will not raise prices, but it will prevent them falling, and everyone who is engaged in business knows that the thing that gradually brings about a turn for the better is the low prices at which commodities are produced, which encourages buying. We have in coal this advantage, and the Government—I do not think it is the Government, to do them justice; they would get out of it if they could—but the system of log-rolling by which legislation is carried on is compelling them to take that course which is bound to prevent the expansion of our trade in good times or prevent its recovery in bad times. I am not going to prophesy in the least what the extent of the rise will be. It entirely depends upon circumstances and on the condition of trade at the time; but this I want to point out to the right hon. Gentleman, it is not a thing which applies only when you make a change; it is a condition which will recur every time there is a scarcity of trade. The effect on prices has nothing whatever to do, for the time being, with the increased cost of production. I was myself engaged in a trade of a very speculative character, and I have more than once seen the price of the article doubled by a rise of 10 per cent. in the price of coal. Hon. Members will not be surprised, because coal is an article you cannot do without, and if one manufacturer thinks it is short and that he will not be able to get what he wants he will rush in and buy in order to see that he, at least, is all right. Other manufacturers rush in at the same time, and in consequence the price is driven up. I say, without hesitation, that I believe this is one of the worst Bills ever introduced even by the present Government. The right hon. Gentleman the Secretary of State appeared to be astonished at what he called the Coal Consumers' League. I do not know anything about the Coal Consumers' League. They have never asked me for any money. They knew that it was not worth while.

AN HON. MEMBER: You are a Scotsman.

MR. BONAR LAW: Now that I am no longer representing a Scottish constituency I am prepared to admit that that is not a bad reason. This is not a question between the coal masters and the coal miner. There are a great many coal masters who would do anything but benefit by this Bill. This is a Bill that will benefit new mines at the expense of old mines that could not equip themselves. But it does affect the consumer. The consumer is not organised, but now an attempt has been made to focus the opinion that is held by those who consume coal, and I think that is a good thing. The hon. Member for Merthyr Tydvil made a statement that I do not agree with, that neither coal masters nor iron masters were afraid of this Bill. It so happens that there is no class of the community amongst whom I have so many friends. I have spoken to many of them about it and there is not one who does not believe that the effect of the Bill will be greatly and permanently to raise the price of coal in this country. They are afraid of it. There is not one who is not afraid of a rise in the price of coal in this country. They admitted they did not think it was going to be a great evil, but because it is not going to be a great evil that is no reason for entering into any evil. Whatever has been said which was not well-founded, this, at least, is true, that all men engaged in industry in this country believe that this Bill will have a very grave effect upon the particular industry in which they are engaged.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid): The hon. Member who has just sat down prefaced his speech by saying that he was going to make a Second Reading speech and said that he was driven to making a Second Reading speech by the speeches which had gone before. That may be so. As a Welsh Member I did not intend to take any part in this discussion, and if I might presume to advise my friends I would say that they should not extend the discussions on this measure by making Second Reading speeches. There were several passages in the speech of the hon. Member who has just sat down, several propositions which would be excellent propositions for free trade if they were to be applied all round, but these things must be avoided on this occasion. The hon. Member repeated some questions which had been put by the Leader of the Opposition earlier in the debate, not so much to those who officially represent the Government as to those who represent the mining industry, to whom I shall be content to leave the answering of those questions, as I think they will be able to deal with that matter on the Report stage of Clause 1 much more ably than I should. Then there is the question of the humanitarian reason. I think it was rather a pity that the hon. Member said that the Government had not brought in this Bill for any humanitarian reasons but because they were engaged in a log-rolling policy It does not help matters forward in the slightest degree to say that the responsible Government are only indulging in a log-rolling policy when they at last bring in a Bill to represent the views of a certain section of the population, many of which views have been represented here for twenty years past. I am not sure that the right hon. Gentleman opposite, if he were Prime Minister to-day, would not have found the feeling on this matter so strong that it would have been necessary even for him to bring in some measure of this kind. Now let me say a word or two with regard to three heads: First, the humanitarian point of view. This can be regarded from two points, the point of view of health, and the point of view of danger. The hon. Member referred to the fact that the Committee had reported their opinion, that, ordinarily speaking, the occupation of a coal-miner is not an unhealthy occupation. That does not determine this matter. The question is whether it is a healthy occupation up to eight hours a day and whether it does not become more unhealthy when you pursue it for another hour or two. It is not enough to say that the occupation of a miner is healthy, and therefore it is not right to limit the hours during which he has to be underground. It is a very difficult thing to decide whether there is any increase of danger by excess of work. It is very difficult to prove that by statistics, but this I am able to say, that it has been the opinion of those engaged in this industry in South Wales that there have been dangers and accidents leading often to deplorable explosions in which on occasion one, two, or three hundred men have lost their lives, and that the dangers have been increased by the working of long hours. It cannot be proved by figures, but it is right that I should tell the House that that has been adopted as the deliberate opinion of those engaged in this industry in South Wales; that is to say, you have a greater danger due to less attention or to non-compliance with the rules which may, and no doubt has, sometimes produced very serious accidents owing to the men working excessive hours. That is what I say with regard to the first head, except one remark with regard to health and not mere danger after working nine or ten hours. Has the hon. Member opposite ever been down a coal mine?

MR. BONAR LAW: No.

SIR S. EVANS: I thought he had. If he had, and if he had been down some of the old mines when they were working a few years ago, before they had been improved, he would have been satisfied, I think, if he could have done an ordinary day's work of eight hours that it would have been quite enough for him. I have been down many in the course of my avocation, because, whenever I was engaged in a mining case, I always went down to see the *locus in quo*. I have been down constantly, sometimes in a new pit in which the conditions by comparison were far better than in the old, and I have been down old coal pits where it was cruelty to make a man work six or seven hours. The present discussion relates to Durham, and I do not know anything about Durham or Northumberland, but I can say that it does appear to me to be a little unfair to say that an experienced miner need only work six or six and a half hours, while your boys, as they are called, ought to work nine or ten. A skilful debater like the hon. Gentleman who had just sat down said that no doubt the lads in Durham during the first years of their work in the mines in Durham have to submit to a nine or ten-hours day, but then, he said, the boys would improve their position, and have the advantage which was thus obtained from shorter hours. What are the advantages? We believe there will be advantages to be obtained from shorter hours and for that reason we have produced this Bill. The last point he made came well within the province of the hon. Member. He dealt with the cost of production. This also is a difficult matter to deal with by way of figures, but the hon. Member will remember as a matter of history that predictions of exactly the same kind were made when the first Coal Federation Act was brought in, in 1872, and I found out quite recently that the same predictions were made and had been made ever since the first improvements were made with regard to coal mines in 1852. In 1872, it was said that the price of coal would go up at least 1s. 6d. a ton. Similarly, as a consequence of the Compensation Act, the increase was to be 3d.; it only went up one farthing. I only indicate these matters to show that prophecies of this kind have been made on previous occasions and nearly always falsely. I believe with the hon. Member for Merthyr that, broadly speaking, there will be no change in the productivity of the mines, or in the labour of the men. Everybody will know that the hours must be limited to eight. But I believe you will find that in the ordinary course not less but more coal will be produced in eight than is now produced in nine and a half hours. I understand one of the reasons for the state of things described by the hon. Member opposite is that the coal mines in that particular part of Scotland to which he alludes are nearly worked out on their last ridges, so to speak.

MR. BONAR LAW dissented.

SIR S. EVANS: Well, that is my information. If it is not correct I will not press it. I have made this reply to him. It has been a Second Reading speech and could not help being a Second Reading speech, but on the Report stages I shall certainly not make long speeches and so prevent this Bill from being passed; but speaking, not as a member of the Government, but as a Member for one of the divisions in South Wales, which has been looking forward to this Bill for years, I say I believe that the reduction from nine and three-quarter hours to eight will be, as the people of that country believe, a very great boon.

MR. GLADSTONE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 266; Noes, 74. (Division List No. 438.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)

Ashton, Thomas Gair
Asquith,Rt.HonHerbert Henry
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Beale, W. P.
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell,Sir J.H.(Essex,Romf'rd
Black, Arthur W.
Boland, John
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett,C.H.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies,David(Montgomery Co.
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S.
Dewar, Arthur (Edinburgh,S.)
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duckworth, Sir James
Duncan, C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ffrench, Peter
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Greenwood, Hamar (York)
Gurdon,Rt Hn.SirW.Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harvey,W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Hemmerde, Edward George
Henry, Charles S.
Herbert, Col. Sir Ivor(Mon., S.)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kilbride, Denis
Kincaid-Smith, Captain
King,Alfred John (Knutsford)
Laidlaw, Robert
Lamb,Edmund G. (Leominster)
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Sir Francis
Lea, Hugh Cecil (St.Pancras,E.
Lever,A.Levy(Essex,Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren,RtHn.SirC.B.(Leices.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Mond, A.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Muldoon, John
Murphy, John (Kerry, East)
Murray,Capt.HnA.C.(Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Philipps, Col. Ivor (S'thampton
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Reddy, M.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards T. F.(Wolverh'mpt'n)
Richardson, A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd)
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Samuel,Rt.Hn.H.L.(Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E.(Manchester)
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert

Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Strachey, Sir Edward
Strauss, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J.W.H.(Somerset, E.
Thomson, W. Mitchell- (Lanark)
Thorne, G. R. (Wolverhampton)
Tomkinson, James
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E. (Clackmannan
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Baring, Cap, Hn, G(Winchester)
Beach, Hn. Michael Hugh Hicks
Beck, A. Cecil
Beckett, Hon. Gervase
Bellairs, Carlyon
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. Hn. J. A. (Worc.
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cory, Sir Clifford John
Cox, Harold
Craig, Captain James (Down, E.
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Furness, Sir Christopher
Gooch, Henry Cubitt (Peckham)
Guinness, Hn. R. (Haggerston
Guinness, W. E. (Bury S. Edm.)
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway, Rt. Hon. Sir John H.
Kerry, Earl of
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lowe, Sir Francis William
Lupton, Arnold
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Parkes, Ebenezer
Paulton, James Mellor
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Starkey, John R.
Talbot, Rt Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Watt, Henry A.
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-

Tellers for the Noes—Viscount Castlereagh and Mr. Harmood-Banner.

Question put accordingly, "That the words proposed to be left out, to the word 'for,' in page 1, line 6, stand part of the Bill."

The House divided:—Ayes, 267; Noes, 74. (Division List No. 439.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight
Barlow, Percy (Bedford)
Beale, W. P.
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Rom'frd
Black, Arthur W.
Boland, John
Bowerman, C. W.
Brace, William
Brigg, John
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Compton-Rickett, S, J.
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Crooks, William
Crosfield, A.

Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ffrench, Peter
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Rt Hn. Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harvey, W. E. (Derbyshire, N. E.
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Hemmerde, Edward George
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Hudson, Walter
Hunt, Rowland
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Lief (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Jir Hudson E.
Kilbride, Denis
Kincaid-Smith, Captain
King, [Alfred] John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Sir Francis
Lea, Hugh Cecil (St. Pancras, E.
Lever, A. Levy (Essex, Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk, B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Rt Hn. Sir C. B. (Leices.)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Mond, A.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Muldoon, John
Murphy, John (Kerry, East)
Murray, Capt. Hn A. C. (Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor. John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Philipps, Col. Ivor (S'thampton)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Reddy, M.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Samuel, Rt. Hn. H. L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N. W.)
Steadman, W. C.
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr)
Thompson, J. W. H. (Somerset, E
Thomson, W. Mitchell- (Lanark)
Thorne, G. R. (Wolverhampton)
Tomkinson, James
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Wardle, Beorge J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt. Hn E. (Clackmannan
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)

Tellers for the Ayes—
Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Arkwright, John Stanhope
Armitage, R.
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G. (Winchester
Beach, Hn. Michael Hugh Hicks
Beck, A. Cecil
Beckett, Hon. Gervase
Bellairs, Carlyon
Bowles, G. Stewart
Bridgeman, W. Clive
Bright, J. A.
Bull, Sir William James
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cory, Sir Clifford John
Cox, Harold
Craig, Captain James (Down, E.)
Davies, David (Montgomery Co.
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Furness, Sir Christopher
Gooch, Henry Cubitt (Peckham)
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury, S. Edm.)
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Houston Robert Paterson
Joynson-Hicks, William
Kennaway, Rt. Hon. Sir John H.
Kerry, Earl of
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.)
Lowe, Sir Francis William
Lupton, Arnold
Lyttelton, Rt. Hon. Alfred
M'Arthur. Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Parkes, Ebenezer
Paulton, James Mellor
Pease, Herbert Pike (Darlington
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Starkey, John R.
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Watt, Henry A.
Williams, Col. R. (Dorset, W.)
Wortley, Rt. Hon. C. B. Stuart-

Tellers for the Noes—Viscount Castlereagh and Mr. Stanley Wilson.

Motion made, and Question, "That further consideration of the Bill, as amended, be now adjourned."—(*Mr. Gladstone,*)—put and agreed to.

Bill, as amended (in the Standing Committee), to be further considered to-morrow.

PORT OF LONDON BILL.

As amended, considered.

Mr. STEADMAN (Finsbury, Central) said he had no desire to obstruct this Bill. On the contrary he desired to see it passed into law, so that something might be done for the Port of London. But he was strongly of opinion that the Board of Trade and the Admiralty should have no right of representation on the new board. They were only lay figures on the present Conservancy Board and knew nothing whatever about the matter. There were hon. Members ready to get up and talk upon any question under the sun and they generally knew nothing about the subjects upon which they spoke. In that way a good deal of time was wasted. The Port of London could only be managed by those who knew the requirements of London. The Board of Trade knew nothing about it and the Admiralty knew less, and he hoped the President of the Board of Trade would agree to delete the representatives of those two bodies and put others in their place who understood the business.

*Mr. MORTON (Sutherland) said he had not altered his mind about this Bill not having had a Second Reading debate and it had never been considered in Committee, in fact it had been rushed through regardless of the best interests of the people of London, and apparently at the dictation of trusts and companies. Bearing in mind, however, the late hour of the night, and also the time of the year, and the fact that it was impossible to get a proper debate upon the subject, he proposed to follow the example of his hon. friend the Member for Central Finsbury, and he would not move the Motion standing in his name.

The PRESIDENT of the BOARD of TRADE (Mr. Churchill, Dundee) moved a new clause amending the Pilotage Order Confirmation Act, 1896. At present Trinity House had a Pilotage Committee upon which there was a representative appointed by the General Shipowners' Society and they had to provide for another representative to take the place of the one hitherto elected by that society. This new clause proposed to give the Board of Trade power to nominate a representative after consultation with the General Shipowners' Society of London to replace the old representative. He begged to move.

New clause—

"As from the appointed day, and unless and until a Provisional Order under Section 577 of the Merchant Shipping Act, 1894, dealing with the matter is made and confirmed, a shipowners' representative on the Pilotage Committee of the Trinity House shall, instead of being elected in the manner provided by the Order scheduled to the Pilotage Order Confirmation Act, 1896, be appointed by the Board of Trade after consultation with the General Shipowners' Society of London, and such other persons or bodies having knowledge or experience of shipping in the Port of London as the Board think fit, and the Order scheduled to the Pilotage Order Confirmation Act, 1896, shall be read accordingly as though references to such an appointment were substituted for references to elections by shipowners."—(*Mr. Churchill.*)

Brought in, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Lord R. CECIL (Marylebone, E.) said the drafting of this clause must have been exceedingly difficult and he could not quite understand it. What was the Provisional Order under Section 577 of the Merchant Shipping Act, 1894, and why had that been selected rather than a Provisional Order under this Bill? There were powers under the Bill to issue a Provisional Order, and he wished to know why the right hon. Gentleman had adopted the procedure under the Merchant Shipping Act. He objected to legislation by reference and the whole of the clause was difficult to follow.

Mr. CHURCHILL said there was a clause under the Merchant Shipping Act, under which the Pilotage Committee of Trinity House appointed a shipowners' representative. A new method was being chosen of appointing a representative of the shipowners' interest, but the Provisional Order would be made under the Merchant Shipping Act which governed such an appointment.

Mr. HARMOOD-BANNER (Liverpool, Everton) said this clause was giving a preference to London over other ports in regard to the arrangements with Trinity House. London was being placed in a better position than any other port, and in this clause they were going to give the General Shipowners' Society of London the right of appointing a representative on the Pilotage Committee of Trinity House without reference to other shipowners in the Kingdom. So long as there was this distinct preference given to London over the other ports of the Kingdom he should protest against the action of the Government.

Question put, and agreed to.

Clause added to the Bill.

Mr. CHURCHILL moved a new clause dealing with mutual rights as to the inspection of documents. It was necessary to provide which documents should remain with the old authorities, and which should be transferred to the new authority. The two parties concerned were the Thames Conservators and the Watermen's Company, and both these bodies were agreed upon the course suggested by this clause. He begged to move.

New clause—

"In page 33, after Clause 34, to insert the following clause:—'All minute books, books of account, vouchers, maps, plans, and other documents transferred by this Act from the Conservators or the Watermen's Company to the Port Authority shall at all reasonable times be open to the inspection, free of charge, of the Conservators or the Watermen's Company, as the case may be, and all minute books, books of account, vouchers, maps, plans, and other documents belonging to the Conservators or the Watermen's Company and not so transferred shall at all reasonable times be open to the inspection, free of charge, of the Port Authority, and if any question arises as to whether any such documents are to be transferred to the Port Authority, the question shall be decided by the Board of Trade.'"—(*Mr. Churchill.*)

Brought up, and read a first and second time, and added to the Bill.

Mr. SPEAKER: The next clause (Provisions as to lighting, buoyage, and beaconage) standing in the name of the hon. Member for the Kirkdale division of Liverpool is out of order because it proposes to transfer the property of other people to the Port of London governing authority without having given any notice to Trinity House that it is proposed to take over their property without paying anything for it. That may be done by public Bills, but it cannot be done by private Bills.

*Mr. McARTHUR (Liverpool, Kirkdale) said that the lights and buoys were not the absolute property of Trinity House, but were held by that body in trust for the people who paid the money.

*Mr. SPEAKER: I do not think it matters whether it is trust or other property, you must give notice to those who own the property which you propose to take in order to give them an opportunity of looking after their interests.

*Mr. MORTON moved a new clause, providing that the dock and river accounts should be kept separately. He said that the object of the clause, which had been carefully drafted, was that the accounts should be kept separately of the dock business and the ordinary business in the river. He was quite unable to understand why the Board of Trade had objected to this clause. In the case of the Mersey Dock business at Liverpool they were compelled by Act of Parliament to keep separate accounts between the Mersey Conservancy business and the dock business. In the present Thames Conservancy they were also compelled by Parliament to keep the upper and lower river accounts separately. Now neither in the Mersey accounts nor in the Thames Conservancy accounts had there been any difficulty whatever in keeping them separate so that everybody concerned was able to understand how the money was received and expended by the different departments. The only reason given before the Joint Committee against the clause was given by the dock companies. They ought not to be dictated to by the dock companies as to what they should do. They wanted a free hand and they should be able to consider the matter without regard to what the dock companies thought of the clause, because after they had sold their docks what did it matter to them how the accounts were kept? It had nothing to do with the dock companies after they had received their money. What was said by Sir Edward Clarke and others was that if they kept separate accounts as those suggested it would wreck the Bill. He supposed the meaning of that was that, notwithstanding that they were told that the net receipts would balance the net expenditure and pay interest on the stock, there was going to be a loss on these matters and the Board of Trade and the Committee did not want people to know it. But they surely had a right to have the accounts kept separate, and the Government and the Board of Trade ought not to be afraid or ashamed to show their accounts. It was estimated the other day that there was to be a loss on the purchase of the docks of £180,000 per annum. But the other night the Government practically admitted that it would be £300,000 per annum, because when they offered to limit the dues to be collected on goods—when that was being discussed, and they were asked to put a limit, they said they must have at least £300,000, and they put forward some calculations showing that some thousand articles dealt with would produce that £300,000, and that was evidently the estimated loss on the purchase of the docks. Why the people of London should be called upon to lose all that money for the benefit of speculators and adventurers, which was the only reason why the Bill was introduced at all, as far as he could see, he could not understand. Be that as it might, surely the people of London who were called upon to pay this, and whose food was to be taxed to make up the deficiency in this large amount, had a right to see the accounts and have them kept so that they could understand what had been earned on the one hand by the dock undertakings, and on the other what was paid by charges on the food of the people of London to make up the great loss that must come. He would not go into every detail of the proposed clause, but unless the Board of Trade were afraid of it being made public they ought at once to agree to this. The right hon. Gentleman told them he had already agreed to put something at the end of the clause which he (Mr. Morton) was told on excellent authority would not carry out what they wanted, that separate accounts should be kept. They found on the Thames Conservancy Board that the necessity of keeping separate accounts for the upper and lower river had made the Board more economical, because they had had to practise economy so as to make both ends meet; and this, by showing receipts and expenditure, had enabled those who wished to carry on business in a businesslike way to know where there was a leakage if any. He trusted now that he had removed subsection 5, to which objection had been taken, the House would agree to have this very righteous clause inserted.

MR. WARDLE seconded.

New clause—

"The following accounts shall be kept separately by the Port Authority in addition to any other accounts which are by this Act prescribed to be kept as separate accounts, that is to say:—(1) An account (to be called the Docks Capital Account) showing: (*a*) The amount of Port Stock created and issued in substitution for the existing stocks of the dock companies; (*b*) the amount of money expended by the Port Authority on capital account in improving the docks, basins, cuts, and entrances by this Act transferred to the Port Authority or in constructing and equipping new docks, basins, cuts, entrances, and other works or otherwise on capital account in improving the Port of London. (2) An account (to be called the Docks Revenue Account): (*a*) Of all sums received in respect of vessels entering, lying in, departing from, or otherwise using the docks, basins, cuts, or entrances from time to time vested in the Port Authority, other than the duties of tonnage prescribed in Section 155 of the Thames Conservancy Act, 1894, as amended by Section 7 of the Thames Conservancy Act, 1905, and by this Act and in respect of all goods imported into or exported from such docks, basins, cuts, and entrances, and in respect of services rendered or accommodation provided by the Port Authority within the same and of all other revenue received by the Port Authority in respect thereof (to be called dock receipts); (*b*) of all sums expended in respect of the maintenance, management, and improvement of the Port of London, including all sums paid by way of interests on or redemption of money expended on Dock Capital Account (to be called dock expenditure). (3) An account (to be called the River Capital Account) showing: (*a*) The amount of Port Stock created and issued under this Act in substitution for Thames Conservancy Redeemable "A" Debenture Stock; (*b*) such amount of the money expended by the Port Authority on capital account as, in the opinion of the auditor of the Port Authority is capital expenditure necessitated by the requirements of persons and vessels not using the said docks, basins, cuts, and entrances of the Port Authority. (4) An account (to be called the River Revenue Account): (*a*) of all sums received from the said duties of tonnage and in respect of all vessels, goods, services, and accommodation, other than the vessels, goods, services, and accommodation referred to in subsection (2) (*a*) of this section, and of all other revenue received by the Port Authority (to be called river receipts); (*b*) of all sums paid: (1) By way of interest on or redemption of money expended on River Capital Account; (2) such proportion of the expenditure referred to in subsection (2) (*b*) of this section as, in the opinion of the auditor of the Port Authority, is expenditure necessitated by the requirements of persons and vessels not using the said docks, basins, cuts, and entrances of the Port Authority (to be called river expenditure)."—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. CHURCHILL said his hon. friend had certainly made some very strong assertions, but scarcely any more far-reaching than the suggestion that the Government had admitted that the loss on the Port as conducted by the new authority would aggregate at least £300,000 a year which would be borne by taxes on the food of the hard-working people of the Metropolis. His hon. friend went to a division when the Bill was in Committee on this very subject or on a question phrased in almost identical terms.

*MR. MORTON: I did not go to a division; you closured it, without even allowing me to explain some objections that had been raised.

MR. CHURCHILL said that the closure at any rate was moved upon the clause on which this question arose and his hon. friend marched into the lobby with only fourteen supporters. Nevertheless he was very anxious to conciliate his hon. friend. He felt that the Bill lacked only his support, and if by any reasonable effort of draftsmanship or of good will it were possible to encourage him to support the measure, or at any rate remove some of his apprehensions and objections to it, he would be prepared to make great exertions to placate him. He would remind the hon. Gentleman that they had already gone a long way to meet him: they had provided that the receipts from Port rates were to be accounted for separately, but as he had explained there was great difficulty in giving accounts separately of expenditure on different parts of the river.

*MR. MORTON said there was no difficulty in Liverpool or in London.

MR. CHURCHILL said there was no difficulty in Liverpool because there was no free water in that port. He could not accept the clause in the form in which his hon. friend had moved it, although he was sure the House would recognise the knowledge, skill, and care with which he had presented it. He was prepared, however, to move at the proper time an Amendment to the effect that in prescribing the form of accounts the Board of Trade should have regard to the desirableness of showing separately as far as practicable such items of receipts and expenditure on capital and revenue accounts as were wholly or mainly attributable to the dock undertakings of the Port Authority in particular. That would secure the maximum of information to the public, and secure it by statutory enactment.

*MR. MORTON said he was much obliged to the right hon. Gentleman for his courtesy; he thought he had better take what he could get, and therefore he asked leave to withdraw his clause on the understanding that his right hon. friend would move his Amendment at the proper time.

Motion and clause, by leave, withdrawn.

*MR. WALTER GUINNESS (Bury St. Edmunds) said he wished to move an Amendment to Clause 1 to increase the number of appointed members of the Port Authority from ten to eleven, and to add that new member to the representation of the Board of Trade, at the same time making that Board responsible for the whole of the representation of Labour to which the President of the Board of Trade consented at a previous stage of this Bill. As the Bill left the Committee, the London County Council was, after consultation with the Labour Party, to appoint one Labour representative, and the Board of Trade the other; but he thought that it would be more convenient if the Board of Trade appointed both. He was of opinion that the London County Council had been somewhat badly treated. Originally, the County Council was to have had five members, but one representative had been taken away in Committee, and when the Bill came downstairs another representative was practically taken away as, they were to be deprived of the right of making a free choice and only to make the appointment in consultation with organised labour. He did not think that a Labour representative appointed in that way would be in touch with the views of the majority of the London County Council and could not be expected to represent them. He quite approved of the proposal that Labour should be represented. The weight to be given to that particular interest had, however, been increased, and he saw no reason why it should be at the expense of an authority whose claim to be heard on the Port Authority was equally strong. The President of the Board of Trade had all through resisted the demands of the local authorities to have their representation on the Port Authority increased. His Amendment could not, however, be opposed on that ground as it was not a proposal to give added representation to the local authorities, but merely to alter the authority who should nominate the representatives of Labour. This matter was not adequately discussed in Committee. The right hon. Gentleman then made it quite clear that he would reconsider the matter on Report, and he hoped he would see his way to protect the interests of the London County Council by leaving them their already reduced representation of four members unfettered by any conditions, while at the same time preserving the extra member to represent the interest of Labour. He begged to move.

Amendment proposed—

"In page 2, line 2, to leave out the word 'ten,' and to insert the word 'eleven.'"—(*Mr. Walter Guinness.*)

Question, "That the word 'ten' stand part of the Bill," put, and agreed to.

MR. CHURCHILL said he would be the last man in the world to impose restrictions on the Board of Trade. He was inclined to think that the London County Council ought to make a selection of a really good representative of Labour, and that no harm would be inflicted on them if they were entrusted with that duty. If the hon. Gentleman really spoke for the London County Council, and they wished to divest themselves of this one member, or if they wanted three instead of four, or was it three and a half, he would not resist it; but so far as the Government were concerned, and he spoke after carefully considering the situation as it was revealed as they left the Committee stage, he did not feel that it was desirable to add to the nominated members. Quite apart from the question of keeping the nominated members in their present position, an ugly rush might occur at any moment on the part of suburban districts and boroughs who had very good claims for representation. He might have all these claims ranking equally, and it would be impossible to satisfy them. He thought they ought to adhere to the number at present in the Bill. It really came down to this, whether the London County Council should have a fourth member or should transfer him to the Board of Trade, who were willing to undertake the duty of dealing with the question. He felt that on reflection the hon. Gentleman would come to the conclusion that, alike in the interests of a small and compact Port Authority and those of the London County Council, they had better stick to the framework of the Bill.

LORD R. CECIL said he did not think the right hon. Gentleman had dealt with the point raised by his hon. friend, which was that when the Bill was drafted the London County Council had five members, but one was taken away and given to the City Corporation. When they got into Committee another member was not taken away, but the choice of the County Council was confined, and they were directed, in fact, to appoint a Labour member. His hon. friend said he had no objection to two Labour members being put on the Port Authority, but he thought that ought not to be done at the expense of another authority. That point did not appear to have been dealt with by the right hon. Gentleman, who only said that the number was fixed and unalterable, and he could not extend it even for the London County Council. He did not think that was very satisfactory and he hoped the Government would treat the London County Council differently.

MR. CROOKS (Woolwich) said there was nothing to prevent the London County Council sending along to the Board of Trade and saying that they should prefer them to select their fourth member, but surely it could not be argued that in the great County of London the County Council could not pick out a Labour man who would understand the interests of London. Surely he would not be a prominent Labour man if he did not understand the administrative work of the County Council. He thought that they were making a mistake in handing over this power, but if they did hand it over there was nothing to prevent them from suggesting the nomination should be made by the Board of Trade.

MR. ROWLANDS (Kent, Dartford) said he agreed with the President of the Board of Trade that, if he was going to give way on this question, he certainly would have to face the whole of the demands which would be made by authorities who had quite as strong a case as that put forward by the hon. Member, who was very anxious to see that Labour was well represented on the new Port Authority, but did not wish to take the responsibility for it. Another thing, the hon. Member was afraid that owing to the action of the Committee in allocating one of the seats to Labour, he and his colleagues had lost an opportunity of appointing a middle-class gentleman on the Port Authority. [AN HON. MEMBER: No.] That was the case. The hon. Member wanted the power strengthened so that they could have as many of one class of the community on the Port Authority as they would have had but for the Amendments which had been made. So far as he was concerned, if the President of the Board of Trade gave way on this point, he and others would consider it their duty to fight for that representation which they thought had not been justly granted to them at the present time.

MR. BOWLES said the right hon. Gentleman refused to accede to the

Amendment, because it would involve increasing the number of appointed members to eleven. That really was not so. The point was this: they had decided and the right hon. Gentleman had decided, that of these ten or eleven members two were to be representative of Labour. The question was, who was to appoint those men? His hon. friend below him said it was rather hard upon the County Council that they should be made to appoint one of those gentlemen, and the Board of Trade said that no other authority would be equally competent to choose another man. What had been done deprived the County Council of a quarter of the members they could send. That was unfair, because they had already taken away from them the fifth man whom they had allotted to them and given him to the City Corporation. He thought the right hon. Gentleman might consider whether the equity of the case could not be met by allowing the City Corporation to have the great privilege, which they would highly value, but of which the County Council was not so proud, of appointing a representative of the great cause of Labour upon the Port Authority. He did not know how that was regarded by the City Corporation and how they would care to accept the charge of appointing a representative of Labour upon the Port Authority. He was bound to say that he thought the County Council, for whom his hon. friend spoke, had a grievance when they said: "You have taken from us one man and given him to the City Corporation, and you have further limited our discretion in forcing us to exercise our power as to the fourth member in a particular direction." There was a second alternative. The right hon. Gentleman had said there should be two members to represent Labour, but he did not know what objection there was to the Board of Trade appointing one member. He did not know why some explanation could not be given, and unless one was given, if the Amendment was pressed to a division, he should support it.

Mr. CARR-GOMM (Southwark, Rotherhithe) did not think anyone who knew the Port of London would have imagined that there would have been all this difficulty. It showed, however, where the shoe pinched, and he could assure the hon. Member that if the Government stood by the view it had taken up, the County Council would find that the shoe fitted better. He thought it was most important that the two representatives of Labour should not be selected by the same authority. The policy adopted by the Board of Trade would be very different from that of the County Council, and it would be unfortunate if the two representatives of Labour were selected by the same political party. If one were selected by the Board of Trade and the other by the Council they would be much more likely to get two men who really represented Labour. He thanked the Government for having stood by the sub-clause.

*Mr. MORTON said he did not object to the increase in numbers, for his only objection was that the number twenty-eight was too few. They might, with advantage, increase the number to forty. Small bodies were too often controlled by officials, and they wanted sufficient members to make the members of the Board masters in what was their own house. The old Metropolitan Board of Works, one of the most useful boards that ever existed, had been virtually ruined by the smallness of its numbers, which enabled the officials to boss the show. His experience, which was considerable, was that there should be popular representatives because they represented the people. He hoped the Government would allow the number of members of the board to be increased because it would be in the best interests of the authority itself.

Amendment negatived.

Mr. STEADMAN said the object of the Amendment which he now moved was to substitute for the representation of the Board of Trade and the representation of the Admiralty one member nominated by the West Ham Borough Council, one member nominated by the Essex County Council and one member nominated by the Kent County Council. He believed the Amendment would be a very useful one, and he intended to make an honest effort to convert the President of the Board of Trade to that view. He was encouraged to hope by the right hon. Gentleman's speech on the last Amendment. He had said that he had been very much impressed by the representations the counties had made to him, and the great objection had been that to carry them out it would have been necessary to increase the number of members of the board. He was prepared to agree that the number of members of the new board were quite sufficient. The present board had thirty-seven members to cover an area extending over the river, from thirty miles above Oxford to the lower reaches. Middlesex and Surrey would have plenty of members to represent them on the Upper River Board. The Board of Trade representatives knew nothing about the work. He had asked the right hon. Gentleman to put the present representative through an examination, and see how he would come out of it. As to the Admiralty, there might be a lieutenant in one of His Majesty's warships or an admiral or two who knew something about the river, but it was 1,000 to 1 that they had seen it only from a penny steamer or from the Thames Embankment. What connection had the Board of Trade or the Admiralty with the business they wanted to transact on the river? They were surrounded by competition, and unless the Bill was a success, they were going to lose the little trade they had at present. The one thing which he noticed in connection with the Bill was the connection running through it between the Port Authority and the Board of Trade. It put him in mind of the connection between the Local Government Board and the local authorities throughout the country, which did a great deal more harm than good. Speaking from experience, he said that if the Local Government Board had done their duty there would have been none of those scandals about which they had read of late. It was a mere matter of form writing up to the Local Government Board. If they were going to have a new Port Authority, they ought to allow it to manage its own business more than the Board of Trade proposed to allow it to do. In regard to the counties he had mentioned, he spoke from experience. They had no two harder-worked representatives on the Thames Conservancy than those for West Ham and the county of Essex. Trade was not going up the river, it was gravitating down the river, and it would be concentrated in those two counties. If they had no representation on the Board the Board would be continually in hot water, but the difficulties could easily be avoided. He did not believe in nominated members, he had seen enough nominated aldermen; he had seen the difference between a progressive county councillor elected by a constituency and the same man defeated and made an alderman. The difference was like that between a Member of the House of Lords representing nobody but himself and a Member of the House of Commons who represented the people who sent him there.

*Mr. MORTON seconded the Amendment. The hon. Member knew from practical experience all about the subject with which the Amendment dealt, and would not, he was sure, advise anything which would not be an improvement.

Amendment proposed—

"In page 2, line 3, to leave out the words 'Admiralty 1, by the Board of Trade 2,' and insert the words 'West Ham Borough Council 1, by the Essex County Council 1, by the Kent County Council 1.'"—(*Mr. Steadman.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. CHURCHILL said the hon. Member who had moved the Amendment had told the House that nominated members were under all circumstances bad, and that as that was so, members should be nominated by the County Borough Council of West Ham, and the County Council of Essex. When it came to representing local and special interests, however, he thought that representatives of the Board of Trade and of the Admiralty, both of which were large Departments with Ministers in that House responsible for them, would be more regularly kept in touch with special interests than those proposed by the hon. Member and for whom he had made so strong an appeal to the Government to alter the representation that had been arranged. He much regretted to tell the House that the did not think it would be a useful thing to adopt the Amendment. They had had a long and exhaustive discussion on the composition of the Board's nominated members on the Committee stage, and after that discussion had progressed a considerable way, he had offered certain concessions which had procured for the time being general agreement. He hesitated to do anything to upset that agreement. If he agreed to the claims put forward by the hon. Member he certainly would upset it. What would then happen to Surrey and to Middlesex? This was a House of Commons Bill if ever there was one, and it would not do, therefore, to upset the balance the House of Commons had arranged.

MR. BARNARD (Kidderminster) desired to express the view that the Government's position was one which undoubtedly deserved every possible support.

Amendment negatived.

*MR. RADFORD (Islington, E.) moved the omission of Clause 3, in order to give the right hon. Gentleman the President of the Board of Trade an opportunity for justifying the terms of purchase contained in the clause. There was no doubt as to the existence of a widespread anxiety, to put it no higher, in regard to the terms of purchase. They were dealing with a sum of money running into millions of pounds, and among hon. Members in that House and in the City of London and elsewhere, there was grave apprehension that they had been committed to a very bad bargain. When the matter was last before the House the hon. Baronet the Secretary to the Board of Trade did not do anything to dispel the anxiety with which the purchase was regarded. The hon. Baronet told them on that occasion that he had had no valuation made of the property which the Port Authority proposed to acquire. He (the speaker) did not think that was anything to boast of. He thought that if there had been a valuation showing them that some substantial property was being acquired it might have been some consolation to the persons who were interested in the Port Authority to know that they would have a valuable asset in their hands even when the time arrived, if it should arrive, when the income failed. The hon. Baronet told them that lands would be acquired with the docks, which he thought were worth more than a million of money although he had no valuation made. He hoped the hon. Baronet was right, and he thought he was right, but that only accounted for £1,000,000, whereas the purchase money was £23,000,000. Therefore that did not carry them very far. Moreover, the hon. Baronet told them, in justification of the terms of the clause, that he thought they were doing better under it than if they went to a compulsory arbitration under the Lands Clauses Acts. That was very faint praise for a Minister in charge of a measure, because probably no property ever acquired by a public authority was worth the money they had to pay under the Lands Clauses Acts. The hon. Member went further than that in saying that he thought they were making better terms than in the case of the Metropolitan Water Board. The terms that were made with regard to the Water Board ought to be borne in mind by that House as a warning for all time. What did that House do? The House generously compelled the London water companies to part with their undertakings at several millions more than they were worth and sent in the bill to London. They were in danger, it seemed to him, of making a very similar mistake on the present occasion, and it was in order to give the President of the Board of Trade an opportunity of allaying the anxiety that certainly existed in regard to this matter that he ventured to move the omission of the clause. The hon. Baronet told them that they were levying an income; he believed a net maintainable income of £809,000 a year. That was a very substantial sum, but the figures which the hon. Baronet very frankly laid before them really did not justify the statement that there was an income of that amount. The figures were taken as the average of the last six years.

The first figure they had was £873,000 and the figure of the last year was more than £100,000 less, amounting only to £700,000 odd. Therefore the hon. Baronet was inviting them to buy a growing concern on a declining income, and the figure of £809,000 was made up on the average or mean income of six years. Even that mean income did not amount to anything like £809,000, but was supplemented by bringing to its credit certain sums which were expected to arise through economy of management in the hands of a public authority. From what they knew about public authorities he was bound to say that he thought the saving assumed to be effected was not altogether certain. They had learnt in regard to many public authorities, where through concentration of management there ought on all reasonable grounds to have been a saving, that there had in fact been no saving at all. Therefore he was very much afraid that what they were proposing to purchase, as a net maintainable income of some £809,000 would turn out to be an income very much smaller. Having arrived at what was called a net maintainable income they were proposing to authorise the acquisition of it at something like thirty years purchase. He shared the apprehension that was felt in that House and in the City of London and elsewhere with regard to this matter, and he would be very grateful to the right hon. Gentleman if he would say something to allay that anxiety.

*MR. MORTON had great pleasure in seconding the proposal. He did not intend going into the whole question that night, although he did not forget that the question his hon. friend had raised had never yet really been discussed. There was no Second Reading discussion, and it was not discussed at the Joint Committee, where it ought to have been discussed, that being the only place where people representing the various authorities concerned could have been heard by counsel and otherwise. That was a reason why they should discuss it now if they had time or opportunity. Personally, he had always been opposed to the purchase of these docks. He could understand paying an extraordinary price to purchase docks in cases where they wanted to get command of the port. Liverpool, Glasgow, and various other places had complete control and command of the port, and if by purchasing docks at extraordinary and inflated prices they could get command of the port, he could understand there was something but not much to be said for it. But in this case they were not going to do anything of the sort. The docks at the present moment did about 40 per cent. of the business, and 80 per cent. of the business they did do was never landed in the docks at all. It was put into lighters over the shipside and might just as well and more economically be dealt with in the river at a wharf or jetty or in the river. Private enterprise had built up the business in the port and had made it successful and useful to the people of London, whereas the docks had been of but little use either to their shareholders or anybody else. It was the private wharves and jetties that had built up the business. Therefore, they were not going to get command of the Port in any shape or form unless they proposed to go further and pay £100,000,000 to buy up the jetties and wharves. He did not suppose that was likely to be done. He knew, although they were not told so, that those concerned in the dock interests—and if the new body was going to make the docks a paying concern it would have the same thing to face—wanted to kill the barge business. For many years they had been trying to destroy the barge business. That business was unique in the Port of London, and was not found anywhere else, except, perhaps, to a very limited extent from Rotterdam up the Rhine. They had been trying all along to kill that part of the business, and, he supposed, drive it to the railways for the benefit of the docks. He could understand it was possible that traders and other business men might prefer to use the railway, but, as a matter of fact, they preferred very much to use these barges. Evidently it paid them better and suited their trade, but it was proposed to kill that if possible so that the barges should not compete with the docks. Everybody who had studied the question knew that development in connection with all ports now was in the direction of jetties or wharves. That was going on all over the world. Wherever trade was done people found it more convenient and useful, as well as more economical, to use deep water jetties and wharves rather than to go into the docks at all. There had been much mystery about the agreements. He was told that they would not show the agreements with the dock companies, and for some reason that he could not understand the Board of Trade had refused to produce the most vital information, namely, Mr. Crutwell's Report on these docks. Unless there was something in the Report against the Board of Trade one would have thought they would have been only too glad to bring it forward; but they would not show it to anybody, although clearly the Joint Committee and the House of Commons were entitled to see it. When the matter was before the House on the Second Reading they were actually promised that they should have all this information before the Joint Committee so that they could judge, but that had not been done in this case, and he again asked the Board of Trade, as he asked them a week ago, for their own credit and for the credit of the engineer who made the Report, that it should be produced, so that they could ascertain really what the professional gentleman thought about the matter. Now it was proposed to give the dock companies something like £23,000,000, and, as his hon. friend had said, it was not shown how the payment of the interest would be able to be met, and no provision was made for expenditure so as to put the docks in decent repair. Everyone knew that since the Royal Commission's Report in 1901 or 1902, the companies, thinking that they were going to force someone to buy the docks some day, had only done what repairs were absolutely necessary to keep them together, and experts knew that a great deal would have to be done to the docks to put them even in decent repair. He believed that the docks were not wanted at all. There were no docks in New York or in Glasgow.

AN HON. MEMBER: Nor in Sutherlandshire.

*MR. MORTON said he did not know that his hon. friend knew where Sutherlandshire was, or he would be aware that there were no docks there, because they used wharves and deep-water jetties. There were no docks in Glasgow, and that was one of the places they used to compare with London. There were no docks in New York, Hamburg, Rotterdam, or Bremen. Some hon. Gentlemen objected to his statement as to Bremen the other night, but he believed they found out he was right in his geography. Our own Consul-General had in a quite independent and impartial Report, which the Board of Trade could not get away from, stated that the shipping interest preferred wharves and jetties to docks on all occasions, and that they were much better suited for trade than docks. The big ships of the White Star Line did not go to docks at Southampton, but to wharves. There were places, of course, where it was perhaps absolutely necessary to have docks. The Bristol Channel was one of those places. There the tide rose some forty feet, and it was somewhat difficult, no doubt, to get on without docks; but even in the Bristol Channel they did without docks when they could. Even at Newport, Monmouthshire, it was recognised that it was more economical to have deep-water wharves and jetties, and consequently last year, or the year before last, 500,000 tons of Spanish ore or something of that sort was brought into that port and unloaded at the wharves for the sake of economy. Therefore, whenever they could do without docks, they did so, both on the ground of economy and time-saving. Personally he was afraid a great mistake had been made, and he was not speaking solely as representing himself. He was exceedingly sorry that his hon. friend had said that in this matter he was solely representing himself. That was absolutely untrue. But if he did, he had a right to take notice of everything concerning the whole of the United Kingdom, including the Metropolitan Water Board—the greatest scandal that ever existed, although his hon. friend was not responsible for it, nor was that Board.

*MR. SPEAKER: That has nothing whatever to do with the Amendment, to which the hon. Member must confine himself.

*Mr. MORTON said he was sorry to go beyond what was right in the matter, but he could not help——

*Mr. SPEAKER again interrupted the hon. Member to point out that he must confine himself to the Amendment.

*Mr. MORTON, on a point of order, asked whether he could not reply to the statement of the hon. Member that he only represented himself on this subject.

*Mr. SPEAKER: The hon. Member has replied to that as far as it is necessary. Will the hon. Member kindly apply himself to the Amendment before the House?

*Mr. MORTON said he must in that case, take another opportunity of replying to the incorrect statement, but he should like, as it was a personal matter—

*Mr. SPEAKER (interrupting): I have twice asked the hon. Member to address himself to the Amendment before the House, and I must now ask him to discontinue his speech.

Amendment proposed—

"In page 3, line 31, to leave out Clause 3."—(*Mr. Radford.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. BONAR LAW said he did not rise for the purpose of entering into the merits of the Amendment, but he would like to point out to the House that this was a question of business, and not of politics. The points which had been raised had been already decided by the House, and 99 per cent. of the arguments just heard were addressed to the House at an earlier stage. He ventured therefore to appeal to hon. Gentlemen on the other side not to obstruct a useful Bill at that period of the evening.

Mr. CHURCHILL said he was very much obliged to the hon. Gentleman for the observation he had just made, and he really thought the House might safely allow the clause to stand part of the Bill. The matter of the terms of purchase would have been discussed in the very small hours of the morning had he not arranged, in order that this, the essential part of the Bill, should be discussed at a time when it could be properly considered, that the position of the clause in the Bill should be altered. At the end of four or five hours discussion the purchase terms, for good or for evil, were confirmed by the House, and by representatives of all parties by 180 votes to 19. Under those circumstances, although it was not an argument he often used, or which he thought ought to be used often, the expression *chose jugee* might really be applied to the purchase part of the Bill. It was the kernel of the Bill, and the whole of their labours for many months would be thrown away if they rejected this clause. Therefore he would strongly urge the House to accept the clause in the form in which it was left after the elaborate discussion the other day.

Amendment negatived.

Lord R. CECIL moved to leave out Clause 6. He said he could not allow this clause to remain in the Bill without some words of protest. He still maintained his objection to this new departure from the ordinary law, although the new subsection (4) had to some extent diminished the objection. Such a novel departure, he thought, however, ought to have been made by general legislation and not inserted in a special Bill of this kind. There was another point in connection with the clause which he thought had escaped the attention of the Committee, and as to which he desired to ask the Government whether they thought it was a desirable provision to insert. Under the Bill very considerable powers had been conferred on the very important authority which it constituted, and it was proposed in effect by this clause, unless he had misread it, that none of those powers were to be exercised without the approval of the Board of Trade. The clause said that where the Port Authority proposed to construct, equip, maintain, or manage any works, and the works proposed to be constructed were such that they could not be constructed without statutory authority, or were such that in the opinion of the Board of Trade they ought not to be constructed except under the authority of such an Order as hereinafter mentioned, a Board of Trade Order must be issued. That seemed to him to limit very greatly the powers of the Port Authority. Without this provision they would be able to construct anything except those works which they could not construct without statutory authority. The Board of Trade under this clause would be able to say that works, however small they might be, could not be constructed except by an Order, and therefore whatever the powers of the Port Authority might be they were suspended until the Board of Trade had issued these Orders. It meant that every work before construction must be submitted to the Board of Trade for their approval to see whether they required an Order or not. He confessed that that seemed to him to be a very undue extension of the powers of the Board of Trade and a very undue diminution of the powers of the Port Authority. The whole of the clause seemed to him to be a very novel departure from the general principles they had proceeded upon with very great success in dealing with harbour authorities, and he hoped that even at the last moment the Government would still see their way not to insist on the clause, which was not part of the general scheme, and might be rejected without any injury to the Bill. He begged to move.

Amendment proposed—

"In page 5, line 28, to leave out Clause 6."—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. BOWLES said he regarded the Bill as an extremely valuable and useful piece of legislation. Holding, as he did that view, he earnestly joined in the appeal which had been made to the Government to consider whether they felt it was necessary to put into the Bill what would really be a blot upon any measure. There was no need to labour the arguments against the clause. They were advanced very fully the other day, and were well-known to the Government. The clause was an afterthought. It was not an essential part of the scheme. Its effect was really to depose in respect of all the useful works which it was the object of the Bill should be carried out both the Port Authority and the Houses of Parliament in favour of the Board of Trade. The clause was unnecessary, mischievous, and a grave departure which might be pushed much further than many Members of the House supposed. In view of the fact that in some respects the clause was bad and dangerous, unless the President of the Board of Trade really set great store by it, or was able to give some reason why it was valuable to him, or likely to be valuable to the Port Authority, he might well consider whether he could not leave it out of the Bill.

MR. CHURCHILL said that he was somewhat disappointed with the noble Lord, because he thought that when this question was last discussed he was able to make a concession as a result of which there was to all intents and purposes a complete agreement between both sides of the House on the subject. At any rate the moment that concession was announced all the Amendments in the names of those who usually acted with the noble Lord were withdrawn. He was therefore disappointed that this Amendment had been placed by the noble Lord on the Paper at all. Of course, he did not make any suggestion of bad faith. Still he thought that when a very substantial concession had had the effect of allaying recent apprehensions and bringing the House together on a particular proposition, it was very much better to let that bargain stand and let it be the last word.

LORD R. CECIL: There was no bargain of any kind.

MR. CHURCHILL said he was not making any charge. He was not only disappointed in the noble Lord on the ground of practice, but also in regard to his logic, because, after all, the whole object of the clause was to extend the facilities of the Port Authority. It was to enable the Port Authority to carry out certain minor works and to make certain small purchases of land which would otherwise require statutory authority, without the need of going through all the elaborate and costly business of private Bill procedure, for which it substituted a cheaper, easier, more convenient, and more practicable procedure. The noble Lord hitherto had opposed the clause on the ground that it was conferring altogether extravagant powers to the detriment of Parliament on the Port Authority. The whole advantage of the clause was for the Port Authority, which, in a matter which did not require statutory authority to enable them to act, would act without such authority. As the noble Lord knew, any corporation in the country which went outside its powers brought itself naturally within the jurisdiction of the Courts, and there was no reason, therefore, to apprehend that the Port Authority would endeavour to exceed its rights. The whole object of the clause was to extend the liberties of the Port Authority, with proper safeguards in the interests of the public, yet the noble Lord now came forward and said is would limit the liberties of the Port Authority. He said that the authority would be restricted by the clause to such works as the Board of Trade were graciously pleased to allow it to construct. The noble Lord would not have ventured to bring that argument forward in any Court for a moment, because he would know perfectly well that the wording of the clause in no way bore the construction he had put upon it. But how did the noble Lord propose to extend the functions of the Port Authority? By the simple process of moving the rejection of the clause introduced for no other purpose than to give the Port Authority greater facilities to buy land and construct works. Whether from the point of view of Parliamentary practice or that of the smooth presentation of logical argument, the noble Lord had on this occasion fallen below his usual high level.

Amendment negatived.

MR. JOYNSON-HICKS (Manchester, N.W.) moved an Amendment giving the inhabitants on the banks of the Thames the right of an appeal to the Local Government Board if the Thames Conservancy failed properly to regulate the flow of water over or through the weirs before or during flood-time. The effect of the Amendment, he explained, was practically to give the Local Government Board an extension of powers under the Bill. The Thames Conservancy were reconstituted under the provisions of the measure and certain appeals were allowed from the Conservators to the Local Government Board if the former failed to exercise the powers conferred on them. He wished to insert the words he had moved to enable an appeal to lie from the Thames Conservancy to the Local Government Board if they did not properly look after the flow of water over the weirs in times of flood. As most Members of the House knew, considerable difficulty had from time to time arisen through floods. In the course of the winter great damage was done to gardens, to property, and to health through floods. Very often that damage was occasioned to poor people who had no remedy. There was a very strong feeling in all quarters that the Thames Conservancy, to put it no higher, did not do all they might in regard to causing a cessation of floods. There would be no difficulty two or three days before the flood came down in gradually opening the weirs, starting at Kew and going higher up the Thames. If that were done, less damage would be caused when the flood came down. He did not wish to cast any aspersions on the Thames Conservancy, but there were so many appeals provided for under the Bill in case the Conservators did not do their duty in certain respects, that he hoped the Secretary to the Board of Trade, in the temporary absence of his right hon. colleague, would see his way to grant this concession which would be very much appreciated by users of the Thames, both for business and for pleasure.

MR. MORRELL seconded the Amendment, which he described as very slight, but very important. He thought when the Government accepted an Amendment which was moved in Committee, that this point would have been covered and an appeal would have been allowed to the Local Government Board in the case of floods. But he was advised that was not the case, and that however much the

Thames Conservancy might be in default in regard to occasional floods the inhabitants on the riverside who suffered had no right of appeal to the Local Government Board under the clause as amended. He was sure the evil which had been described by the hon. Gentleman opposite was well known, and it was admitted that year after year enormous damage was done in the Thames Valley by floods. There was great damage to property, great damage to health, and in some cases even loss of life was occasioned. As the hon. Gentleman had shown there was good reason for thinking that these floods were preventable. By the exercise of a little more thought and by a more systematic use of the weirs they might largely be avoided. He would read a sentence or two by a gentleman who had studied this question very much and was in a position to speak on it. This gentleman said that at the present time there was no definite system, no definite regulations, and no steps were taken to lower the level of the river before a flood was expected. The matter was left largely to the discretion of the lock-keepers. All that was asked for by the Amendment was that where it could be shown that the Conservators had neglected to do their duty the inhabitants should have a right of appeal to the Local Government Board. They were told, he knew, that the Thames Conservators were not a flood authority. That was perfectly true in some senses, because they could not be called upon to construct expensive works to get rid of floods, but they were the only authority which controlled the weirs and sluices provided to deal with the difficulty. Therefore it was only reasonable if they failed to control them in a proper way and by commonsense methods that there should be some right of appeal to the Local Government Board. The Thames Conservancy were a nominative body and if these people suffered they had no direct remedy for their grievances. The Conservators held their meetings in private and it was very difficult to get information. If there was ground for an appeal to the Local Government Board on any subject, there was surely reason for asking for an appeal on this subject of floods, which might cause so much damage to life and health. He trusted that his hon. friend would see his way to accept this very small, but very important Amendment.

Amendment proposed—

"In page 12, line 3, at the beginning, to insert the words 'properly to regulate the flow of water over or through the weirs before or during flood-time or."—(*Mr. Joynson-Hicks.*)

Question proposed, "That those words be there inserted in the Bill.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Sir H. KEARLEY, Devonport) said he spoke, feelingly, in regard to that Amendment, for no one knew better than he. the serious condition of things in the Thames Valley. There had been complaints that the Thames Conservancy had not taken the necessary precautions to prevent flooding over adjoining lands when the river was high or in flood. The Amendment looked to be one which the Government ought to accept, but it was not really so simple as it appeared to the hon. Member for North-West Manchester. If they were to accept the Amendment it would be practically saying that the Thames Conservancy was a bad authority, while at the same time it would impose on that authority the responsibility for the expenditure of money for which it had not any statutory authority. The suggestion which he was prepared to make was that the consideration of the matter might be left to a public inquiry into the whole of the administration of the upper river. The President of the Board of Trade had not committed himself definitely to that inquiry, but he recognised that it was a very necessary thing. The Board had spent some time considering the matter, and still had it under consideration. They were fully alive to the necessity for conferring on this authority further powers if those powers were found necessary after investigation. Before they could impose on a new Board this duty they should have an inquiry. After that inquiry had been held a simpler way of proceeding could be arranged than that in the Amendment. The Board would prefer to go to work in its own way, and he thought if the matter was left to it something beneficial would be effected.

*MR. MORTON said he would not have intervened in this matter, though he was quite aware that something ought to be done to regulate the floods, if it had not been for the extraordinary statement which had been made that the Thames Conservancy held its meetings in secret. That was not true. About four years ago the Board at his (Mr. Morton's) request had opened its meetings to the Press, and reports of the proceedings had since been given by *The Times* and other newspapers, and all the meetings of the Board were open to all the papers.

MR. JOYNSON-HICKS said he was quite sure, after the statement they had just listened to, that something satisfactory would be done. He begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. CHURCHILL moved an Amendment that lower Port rates might be charged in respect of goods to be discharged from a vessel in a dock of the Port Authority, or to be landed on the premises of or warehoused with the Port Authority, by reason only that the goods are to be so discharged, landed, or warehoused. He said the principles of the Bill gave equality of treatment between the docks and the river. The intention in enjoining equality was to veto adverse discrimination, but he did not think that it was necessary to veto beneficial discrete discrimination by the Port Authority if they thought fit in favour of the river. For his own part, as representing the Board of Trade, he would prefer to continue the equality, but a pledge had been given upstairs that when the Provisional Orders fixing the rates were framed, it should, in the river interests, be possible to sue for beneficial discrimination. While he did not commit himself or the Board of Trade to the view of agreeing to that discrimination, it would be carrying out the pledge that was given to the Committee if a question could be raised on the Provisional Order. They had heard a great deal about giving the river interests a fair chance, and that Amendment, in so far as it was obligatory, would be operative in the direction of giving that fair chance. It would enable the river interests to put forward a claim which would afterwards be dealt with on its merits.

Amendment proposed—

"In page 18, line 22, to leave out from the word 'charge,' to the end of line 27, and insert the words 'lower port rates in respect of goods to be discharged from a vessel in a dock of the Port Authority, or to be landed on the premises of or warehoused with the Port Authority, by reason only that the goods are to be so discharged, landed, or warehoused."—(*Mr. Churchill.*)

Amendment agreed to.

*MR. RENWICK moved to insert the words "dues on goods imported coastwise or exported coastwise shall in no case exceed one-fourth of the rate or dues charged on goods exported to or imported from places beyond the seas." The question was of very great importance. He had put it forward on the Committee stage and had quite expected that the President of the Board of Trade would have recognised its importance by proposing an Amendment on this stage to deal with it. The object of the Amendment was to provide that where coastwise goods were imported or exported they should not be charged more than one-quarter of the dues on goods carried over sea. It was customary to have a provision of that sort; there was nothing in the Bill dealing with the point. The same amount of dues might be charged under the Bill on goods coastwise as on goods oversea. As he read the Bill there could be no other intepretation of it. The effect of the Bill was that the rate for goods should not exceed one-thousandth part of the value whether coastwise or oversea.

MR. CHURCHILL said he was making an Amendment later which would make the point clear. At present there was nothing in the Bill which made it necessary for any dues to be raised on goods coastwise. The hon. Gentleman, by his Amendment, would make it necessary to raise one-quarter of the dues imposed by the Bill on oversea goods. He submitted that the best point to raise the matter would be when the House was considering the Provisional Order fixing the rate.

*Mr. RENWICK said that Clause 13 distinctly stated that, subject to the provision in this section, all goods might be liable to such dues as the Port Authority might fix. There were no exceptions provided by the Bill. There was power to charge the same dues on goods coastwise as on goods oversea. He knew exactly how it worked. On articles like tea or Manchester goods which averaged about £100 a ton in value the one-thousandth part would be 2s. a ton, whether the goods were carried coastwise or overseas. That value would have to be paid. On the railways value did not enter into the question. The same rate was charged for a ton of wool worth £100 as for a ton of cement worth 25s. Under the provisions of the Bill the railways would get all the trade in regard to wool. It was most important for the merchants throughout the country, for it stood to reason that if they were charged 2s. dues on goods carried by steamers and no dues on goods carried by the railway they would send the goods by rail. He could give instances of goods which could be sent by rail hundreds of miles for 1s. a ton. How in a case like that could merchants afford to pay dues of 2s. a ton ? If the right hon. Gentleman was accurate in stating that they did not intend to charge dues on goods coastwise he had had an opportunity since the Committee stage of putting an Amendment down to that effect. It was unjust and quite contrary to the usage in other ports to charge goods coastwise at the same rate as goods overseas. He would be quite ready to consider any proposal the right hon. Gentleman liked to make to meet the point he had raised.

Amendment proposed—

"In page 18, line 34, after the word 'only,' to insert the words 'dues on goods imported coastwise or exported coastwise shall in no case exceed one-fourth of the rate or dues charged on goods exported to or imported from places beyond the seas.'"—(*Mr. Renwick.*)

Question proposed, "That those words be there inserted."

*Sir C. J. CORY said he trusted that the President of the Board of Trade would accept the Amendment. He thought there was no doubt that by that clause it would be possible to charge the same dues on goods coastwise as on goods oversea. The Amendment was very reasonable. Apparently by Clause 13, subsection (*b*), if goods came in from foreign ports, and they were transferred to a coasting ship, they would have to pay dues, but if they went on in the ship that brought them into London apparently they would be exempt from dues. He saw no reason for differentiating in this way, and hoped the right hon. Gentlemen would accept the Amendment.

Mr. CHURCHILL reminded the House that the hon. Member had said he would be very glad to have any contribution he could make. His contribution was very briefly this, that the best time for the House to settle the Port rates on different classes of goods was when the Provisional Order fixing the maximum Port rates came before the House. He thought there would be very great disadvantages in giving out their intentions as to particular classes of goods at the present stage. He personally agreed with all that had been said about the importance of the coastwise trade, and it was a point to be borne in mind in fixing the maximum Port rates by the Provisional Order. Where they had the Provisional Order before them they would be able to take a logical and scientific view of what exemptions should be made in the public interest and what rebates should or should not be allowed. He submitted that that was the proper time for discussion, and the most useful method of arriving at a conclusion. Meanwhile, the clause as it now stood imposed no complusion upon the Port Authority to put any rates whatever upon the coastwise trade, and it would have entire discretion to levy no rates at all or a small fraction of the rates which were levied on the foreign goods imported or exported overseas as the authority might think right and proper. Therefore, he hoped the hon. Gentleman would agree with him that the best time for meeting what was a very practical and real point would be when the Provisional Order came before the House.

Mr. BONAR LAW said he could not support the Amendment, but he thought the object his hon. friend wanted to secure was simply to make sure that so far as the influence of the Board of Trade extended they would see that lower dues were placed on coastwise goods than on foreign. The Board of Trade had always shown in connection with the discussions in Committee that that was their intention, and he thought that if the President of the Board of Trade would say that when the Provisional Order was made he would have that point clearly in view that would satisfy his hon. friend.

MR. LOUGH (Islington, W.) asked the President of the Board of Trade if he had said there was no obligation to place any due on goods that were carried coastwise.

MR. CLAUDE HAY asked whether the President of the Board of Trade would give them any assurance that when the time came for the Provisional Order they would have an opportunity of discussing it. He challenged the right hon. Gentleman to point to any part of the proceedings during the present year when the House had had a Provisional Order before it, and had been given a full opportunity of discussing it. Everybody who watched the proceedings of the House knew that a debate on a Provisional Order was a very rare occurrence, and under the gag and the guillotine it became more and more impossible and a mere sham and pretence. He hoped his hon. friend would press his Amendment, which raised a matter of real practical importance, to a division, so that they might be able to record their protest against a system which had never been carried out, and which the Government knew perfectly well had never been carried out.

MR. CHURCHILL pointed out that in connection with the Provisional Order the Board of Trade would be in a judicial capacity and therefore he was not in a position to give any undertaking. As to the time when the Provisional Order could be discussed, it went before a Select Committee with counsel present and with every facility for adequate and proper discussion. To suggest that it was a question of a promise made and not carried out was most unjustified.

MR. JOYNSON-HICKS said a point of principle was involved. It was as to whether there was to be laid down by Parliament definite discrimination between the charges the Port Authority could make between coastwise trade and overseas trade. He suggested that the Board of Trade should settle it. Whether it was one-fourth, or one-fifth, or some other fraction, there should be a definite embodiment in the Bill that the Port Authority should make a discrimination between coastwise trade—the English trade—and overseas trade. Otherwise, it would be perfectly possible for the Port Authority to charge such rates to the coastwise trade as to throw the whole of the trade back into the hands of the railway companies, and really prevent the traders having a very useful source of competition with railway rates. The President of the Board of Trade had suggested there was nothing in the provisions of the Bill to prevent discrimination or to prevent the Port Authority charging a lower rate for coastwise goods than for overseas goods. But in one place in the Bill it was distinctly laid down that the Port rates charged by the Port Authority should at all times be charged equally to all persons in respect of the same descriptions of goods. He admitted that there were added the words "in like circumstances." What did "like circumstances" mean? Did it only mean that the goods must come in the same ship from the same port? If not then those words made it perfectly clear that the same rates must be charged for carrying the same goods. He submitted that the words "in like circumstances" were not sufficient to give the Port Authority the power to discriminate as between coastwise trade and overseas trade. It was important that Parliament should establish the principle rather than leave it to the Board of Trade, and he hoped his hon. friend would go to a division unless the President of the Board of Trade was able to make some suggestion that would obviate that very real difficulty.

MR. HOLT (Northumberland, Hexham) hoped the Government would stand to the position they had taken up in the matter. He did not want to enter into any argument and he quite admitted that coastwise dues were nearly always less than overseas dues, but he would remind the House that it was a very dangerous thing for them to lay that down in a hard and fast form which could not be got over. London had a very large distributing trade, not only as other ports in England, had to coastwise ports, but a very large distributing trade to the near Continental ports. If it was stipulated in an Act of Parliament that they were pledged to charge goods going to a near Continental port four times as much as goods going to Liverpool or Aberdeen, then they would find they had done a great deal of harm to their distributing trade to the near Channel ports. It would be a great mistake if anything were put into the Bill that would make it impossible for the Port Authority to charge possibly equal rates and very low rates on the same class of goods going all over the world. It would handicap them very seriously indeed in trying to establish a good schedule of rates. If they would follow the advice of the President of the Board of Trade and let the matter remain open until the Provisional Order came on they would then have before them the great advantage of the views of certain gentlemen who were appointed by the Port Authority and who could give the results of a very much more detailed examination of the matter of drawing up a Schedule than could any Member of that House.

Sir H. KEARLEY said he could supplement the very cogent remarks of the hon. Member who had last spoken by putting a case—the example of Liverpool. Liverpool had the exact powers that would be given to the Port Authority in this Bill. What did Liverpool do? It exercised its powers as it chose, but it made no charges on coastwise goods at all. The mere fact of inserting in the Bill that powers should reside in the Port Authority to make charges on coastwise goods did not necessarily involve that the Port Authority should make an excessive charge. They would finally assume a judicial capacity with regard to the Schedule drawn up by the Port Authority. What would happen? The Port Authority would hold an inquiry, and that would give traders an opportunity of going there and making good their claim to exemption. The hon. Member for Newcastle would have an opportunity through his firm, or through people interested in his trade, of going to the Port Authority and laying down that a charge of a certain amount would be excessive and injurious to the trade. That inquiry would be held, and he had not the slightest doubt that everybody who was really and reasonably interested in having small dues imposed upon their goods would have the fullest possible opportunity of making good their case. The Port Authority was not going to set out with a view to ruining trade, but were going to see that trade was not driven away from the Port. After the investigations they would go to the Board of Trade for a Provisional Order, and they again would have it in their power to continue these inquiries, and must continue to do so. If a view were put forward that a certain due was onerous the Board of Trade would take action, and if the Board of Trade were finally satisfied with the Schedule, it would then come to the House for confirmation, when anybody, on objection, could ensure that a Select Committee would be set up still further to consider the matter. With all those safeguards, and in view of the circumstances he had mentioned in connection with Liverpool and all ports where they had the power to levy dues on coastwise goods, he thought the House could leave the matter where it stood. It would be wrong to commit themselves seeing they had to stand in a judicial capacity.

Mr. BOWLES asked if they were to understand that the Government was in favour of the object of the Amendment. That object was a perfectly simple one. It was to insure that coastwise trade should not be dealt with in the matter of dues at so high a rate as the ordinary oversea trade. He understood that the Government agreed. The right hon. Gentleman said he thought it very important and it had always been his view and that of the Board of Trade that such differentiation should be made. The hon. Gentleman who had just spoken said he could not say anything, but gave the House clearly to understand that they need not be under any apprehension that the object of his hon. friend would not be carried out. But was that so? The hon. Gentleman who had just sat down, as well as the right hon. Gentleman, had said it was so, but had added that they could not give any assurance about it because it would be very improper for them to prejudge the matter, as they would have to act in a judicial capacity. That was all very well, but the right hon. Gentleman was acting now, not in the judicial spirit, but in the legislative capacity, and he could not get rid of his responsibility in the matter of legislation. When an important point of genuine substance was raised, and the Government had nothing to say except that they agreed with it, and that the House need be under no misapprehension as the object they had in view would be carried out, it was not sufficient. He submitted that so far from this not being the proper place, it was the only place in which to do the thing effectively. There was no other chance, if the House desired to deal with this matter, of being sure of obtaining absolute security except by agreeing to an Amendment of this kind. He could not, however, support the Amendment in the form in which it was proposed by the hon. Member. The right hon. Gentleman had said that this matter must be considered on a Provisional Order. He (Mr. Bowles) was an inexperienced Member of the House, but he was informed—and certainly his small experience bore out the information—that the opportunities of the House upon a Provisional Order were perfectly delusive. He was informed that it was impossible to amend the terms of a Provisional Order. The right hon. Gentleman would forgive him for saying that in all these circumstances it was not altogether fair to the House to oppose an Amendment of substance on two grounds neither of which appeared to hold water. If the Government and the House at that moment meant to ensure that coastwise trade should be treated differentially, and upon a lower rate than other trade, then that was the only opportunity the House would have of ensuring that object, and he thought they ought to be grateful to the mover of the Amendment for having reminded them of it.

Question put.

The House divided:—Ayes, 11; Noes, 90. (Division List No. 440.)

AYES.

Balcarres, Lord
Bowles, G. Stewart
Carlile, E. Hildred
Cecil, Lord R. (Marylebone, E.)
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hay, Hon. Claude George
Joynson-Hicks, William
Morpeth, Viscount
Morton, Alpheus Cleophas
Rowlands, J.

Tellers for the Ayes—Mr. Renwick and Sir Clifford Cory.

NOES.

Acland, Francis Dyke
Ainsworth, John Stirling
Arkwright, John Stanhope
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Beale, W. P.
Bennett, E. N.
Berridge, T. H. D.
Bowerman, C. W.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burnyeat, W. J. D.
Carr-Gomm, H. W.
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Courthope, G. Loyd
Craig, Herbert J. (Tynemouth)
Crosfield, A. H.
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.)
Dickson-Poynder, Sir John P.
Dunn, A. Edward (Camborne)
Everett, R. Lacey
Fiennes, Hon. Eustace
Fuller, John Michael F.
Gwynn, Stephen Lucius
Harcourt, Robert V. (Montrose)
Higham, John Sharp
Hobart, Sir Robert
Holt, Richard Durning
Horniman, Emslie John
Illingworth, Percy H.
Jones, Leif (Appleby)
Kearley, Sir Hudson E.
Kilbride, Denis
Kincaid-Smith, Captain
Lardner, James Carrige Rushe
Lea, Hugh Cecil (St. Pancras, E.
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Macdonald, J. R. (Leicester)
MacVeagh, Jeremiah (Down, S.)
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Middlebrook, William
Mond, A.
Montagu, Hon. E. S.
Morrell, Philip
Morse, L. L.
Murray, Capt. Hn. A. C. (Kincard.
Newnes, F. (Notts, Bassetlaw)

Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Pearce, Robert (Staffs, Leek)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Radford, G. H.
Rea, Russell (Gloucester)
Ridsdale, E. A.
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Russell, Rt. Hon. T. W.
Seddon, J.
Seely, Colonel
Shaw, Rt. Hon. T. (Hawick B.)
Soares, Ernest J.
Spicer, Sir Albert
Strachey, Sir Edward
Strauss, B. S. (Mile End)
Straus, E. A. (Abingdon)
Taylor, Theodore C.(Radcliffe)
Thorne,G. R. (Wolverhampton)
Trevelyan, Charles Philips
Verney, F. W.
White,J.Dundas(Dumbart'nsh.
White, Sir Luke (York, E. R.)
Whitley,John Henry (Halifax)
Wilson, Hon. G. G. (Hull, W.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. LOUGH moved to omit subsection (3) of Clause 13, with the object of ascertaining whether it really carried out the intention of the Government. The subsection stated that if in each of two successive years the aggregate amount received from port rates on goods from and to ports beyond the seas, exceeded one-thousandth part of the aggregate value of the goods imported into and exported from the Port of London in those years, it should be the duty of the Port Authority to take the necessary steps to prevent the continuance of the excess, including, if necessary, an application to Parliament to provide them with further means of meeting their financial obligations. It was a complicated subsection, and he moved its omission to ascertain from the President of the Board of Trade whether it carried out his promise to the House. The provision was not of the simple character that London Members generally, he believed, thought it would be. It seemed to suggest that it would be very difficult to impose the restriction.

Amendment proposed—

"In page 19, line 10, to leave out subsection (3) of Clause 13."—(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out, to the second word 'from' in page 19, line 12, stand part of the Bill."

MR. CHURCHILL said the House would remember that this limit was inserted to meet a general desire. If in each of two successive years the total amount of Port rates on foreign trade exceeded a thousandth part of the total value of the goods, one of two things would happen: either the Port Authority must reduce the excess, or it must ask Parliament to say what was to be done in the circumstances. Parliament would then concentrate on the subject all that attention which had marked this discussion, and he trusted it would be guided on such an occasion by the illumination and skill of his right hon. friend.

MR. CLAUDE HAY said the speech to which they had just listened from the right hon. Gentleman was delivered, he presumed, in order that the House should be led to think that when the point raised by the right hon. Gentleman the Member for Islington was of interest to the trade of the Port it would come before Parliament and would be adequately discussed. Unless he was mistaken the provisions of the Bill and the remarks of the President of the Board of Trade went to show that the only way in which Parliament would have a voice in the matter hereafter was when it came before the House in the form of a Provisional Order. The right hon. Gentleman did not indicate how Parliament would have a right of interference and decision in the matter.

MR. CHURCHILL: By Bill.

MR. CLAUDE HAY asked if the House was to understand that the Board of Trade or the Government Department concerned would have to introduce a Bill dealing with this point. It was a question of the highest importance, and it would certainly conduce to the shortening of their proceedings if the President of the Board of Trade could tell the House exactly in what form this matter would come before Parliament, so that it could be discussed and Parliament could have proper control over it.

SIR H. KEARLEY: When application is made to Parliament it would be by Bill.

MR. CLAUDE HAY: What sort of Bill?

SIR H. KEARLEY: The ordinary kind of Bill.

MR. RENWICK wished the President of the Board of Trade to tell the House how it was intended to arrive at the thousandth part of the value of these goods. He could see how it could be done in regard to goods from oversea, because they would be entered at the Customs House and the value would be declared. But no value was declared in the case of goods sent by rail or coastwise in a steamer. Therefore, in those cases he could not imagine what method would be followed.

MR. CHURCHILL said it was arranged when they last discussed this matter that the value would be calculated on the value of the foreign trade entering the Port of London in one year. That did not include land or coastwise trade coming in. It simply took the Customs returns and calculated the one-thousandth part.

MR. RENWICK remarked that nothing the right hon. Gentleman had said enlightened him as to how he was going to arrive at the value of these particular goods. No declaration was made of the value of the goods and no entry was made in the Customs House. How was it to be done? Some means would have to be adopted of settling the dues to be put on these goods. It could not be done under the present arrangements in the Bill.

MR. BOWLES thought that as the clause stood it would include not only goods from and to places beyond the seas, but also goods going coastwise.

SIR H. KEARLEY said there was an Amendment on the Paper to deal with that.

Amendment, by leave, withdrawn.

MR. CHURCHILL said he would now move an Amendment which would meet the point raised by the hon. Member for Norwood. When the Bill was going through the Committee stage the form which this safeguard was to take was agreed upon generally by the Committee, but in the rapid despatch of business—not too rapid he might say—the words were put in the wrong place. In the course of reading out the Amendment from the Chair the words "from and to ports beyond the seas" were inserted after the word "goods," in line 12, whereas they ought to have gone in after the word "London" in line 14. The effect was curious. The intention was that the thousandth part should apply to oversea trade only, and it was only practicable that it should do, because there was no record of the coast trade. But if they left the clause as it now stood, the consequence of the words being inserted in the wrong place would be that it would be open to the Port Authority to raise to a thousandth part of the foreign trade only, and then to levy dues to any amount on the coastwise trade. That was the exact opposite of what was intended. As the clause would read when amended the words "from and to parts beyond the seas" would be inserted after the word "London" instead of where they now stood after the word "goods."

Amendment proposed—

"In page 19, lines 12 and 13, to leave out the words 'from and to parts beyond the seas.'"—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. RENWICK thought the admission made by the right hon. Gentleman was a very extraordinary one. His own opinion was that, notwithstanding the Amendment, they were in as great muddle as ever as to how they were to arrive at any value of coastwise goods, and levy any dues upon them in accordance with this clause. He made one more appeal to the right hon. Gentleman, that, if he did wish to differentiate between goods conveyed coastwise and goods brought from or sent to parts beyond the seas, he should hand in an Amendment which would make clear to all those connected with the coasting trade the precise way in which he proposed they should be treated. He did not think the House quite recognised the importance of the coasting trade.

*Mr. DEPUTY-SPEAKER (Mr. Caldwell, Lanarkshire, Mid): Order, order. That question, I understood, was decided, and the present Amendment is simply to transpose words which somehow had been put in the wrong place.

Mr. RENWICK said the principle might have been settled, but he still maintained that the clause represented the matter in a most uncertain way. It was not at all clear and he repeated his appeal to the right hon. Gentleman to insert an Amendment to make it clear.

*Sir C. J. CORY observed that, as the right hon. Gentleman truly said, the effect of the clause before the Amendment was proposed to limit the dues on foreign goods and leave the amount unlimited in regard to coastwise goods. The purpose of the clause now seemed to him to be that the same dues would be payable on all goods whether coastwise or foreign-wise.

Mr. CHURCHILL was sure he could explain to his hon. friend that the position was otherwise. It had been agreed that the moment the Port Authority should have to secure new powers in Parliament or reduce their expenditure should be the moment when the dues on goods should be one-thousandth part of the oversea trade of the Port of London in one year.

*Sir C. J. CORY pointed out that it was said they must have a Provisional Order as to what the dues on coastwise goods would be. He asked why that was necessary, seeing that in subsection (*b*) of Clause 13 they laid down the terms of a Provisional Order on certain goods, and why could the Government not lay down that the terms in the Provisional Order should provide that the dues on coastwise goods should not exceed one-fourth of the dues charged on oversea goods?

Mr. CHURCHILL was sorry to interrupt his hon. friend, but he really was discussing a point that was not raised by the clause under discussion. This clause did not deal with the rates on goods either coastwise or foreign-borne, from the point of view of the imposition of such rates. It only provided means for the imposition of a top limit, and in order to find a convenient measure the rough and ready method had been adopted of calculating one-thousandth part of the oversea trade. The clause merely used the aggregate value of a particular class of trade coming into the Port as a convenient method of restricting the discretion of the Port Authority.

*Sir C. J. CORY: The aggregate value of all goods — coastwise and foreign?

Mr. CHURCHILL: No, no.

Amendment agreed to.

Amendments proposed—

"In page 19, line 14, after the word "London' to insert the words 'from and to other parts beyond the seas."

"In page 19, line 15, to leave out the words 'those years' and to insert the words 'the year.' "—(*Mr. Churchill.*)

"In page 19, line 35, after the word 'owner' to insert the words 'or consignee.' "—(*Sir H. Kearley.*)

Amendments agreed to.

Mr. CHURCHILL moved an Amendment providing that a Provisional Order "may authorise the making of special arrangements respecting the time and method of payment of Port rates on goods by any persons, who at frequent intervals, become liable to pay those rates, whether on their own account or on account of any other persons." He said this Amendment was designed to carry out a promise given to the hon. Member for Hexham on the Committee stage. It was desired to give the Port Authority power to enter into certain arrangements with firms who had a good deal of business to transact under which running accounts could be kept for the year to be adjusted at the end of the year. The Amendment only gave power to the Port Authority which was already in the hands of all other Port authorities in the Kingdom.

Mr. Renwick.

Amendment proposed—

"In page 19, line 37, at end, to insert the words 'and such Provisional Order may authorise the making of special arrangements respecting the time and method of payment of Port rates on goods by any persons who at frequent intervals become liable to pay those rates, whether on their own account or on account of any other persons.'"—(*Mr. Churchill.*)

Amendment agreed to.

MR. CHURCHILL moved a drafting Amendment referring to the method of collection of Port rates. The Bill said that the method would be regulated by provisions in the Bill itself, but as a matter of fact, it would be regulated by a Provisional Order under the Bill.

Amendment proposed—

"In page 20, line 19, after the word 'by' to insert the word 'under.'"—(*Mr. Churchill.*)

Amendment agreed to.

MR. CHURCHILL moved an Amendment, making it clear that the power to levy dues, and exemptions in regard to certain docks of the East Indian Company still continued.

Amendment proposed—

"In page 20, line 27, to leave out the words 'apply not only,' and to insert the words 'continue to apply.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendment proposed—

"In page 20, lines 29 and 30, to leave out the words 'of that company transferred to the Port Authority by this Act but also,' and insert the words 'and shall also apply.'"—(*Mr. Churchill.*)

Amendment agreed to.

MR. CHURCHILL moved an Amendment "providing that nothing in the section shall be construed extending any limit on the immunities conferred by Section 13 in regard to any harbours or docks." It was a purely drafting Amendment which they had been asked to insert in order to make it clear that certain exemptions should not be taken away.

MR. BOWLES said they had had no notice of the Amendment which was not on the Paper. Evidently it involved matters of considerable perplexity and difficulty and could hardly be described as a drafting Amendment.

MR. CLAUDE HAY said the President of the Board of Trade talked about rights and exemptions as though they were small matters, but rights and exemptions dealing with the India Docks surely involved a large sum of money. Would the right hon. Gentleman say how large a sum was concerned and what property was involved? Again and again they had found that what had been described as small affairs had turned out to be very large, and the House must be very careful what it was doing otherwise an amending Bill might be necessary to set the matter right.

Amendment agreed to.

*MR. MORTON said that he had four Amendments on the Paper which he had been requested to move by the Corporation of London and the Thames Conservancy, and he might say in passing that all the clauses and Amendments that he had moved had been prepared by one or both of those bodies and moved by him (Mr. Morton) at their request. The four Amendments had one object, namely, to insist that the interest of 3 and 4 per cent. on the Port Stock should be paid and paid only out of the net earnings of the docks. That was an ordinary business proposal which Parliament generally insisted on in every enterprise that got Parliamentary sanction. They ought not to pay dividends out of capital, and they ought not to pay the interest on Port Stock out of a tax to be put on the food of the people and it was wrong and wicked to tax the business of the jetties, quays and wharves, which had been built up by the enterprise and efforts of the traders and others, to make up the loss incurred by the purchase of the docks at an unfair price. Those who said that the docks could be made to pay ought in common honesty to at once agree to these Amendments, but was there anyone who thought the docks would pay, he (Mr. Morton) thought not, and he fully believed that there must be a big deficit on the working of the docks. But at this late hour of the night, when even the Government had no chance of getting the closure, and when all young people should be going home to bed, he did not propose to move his Amendment, perhaps knowing that he had but little chance of carrying them.

MR. CHURCHILL moved the first of two Amendments, the object of which, he said, was to provide that the regulations of the Board of Trade regarding stock should be by an Order having statutory effect.

Amendments proposed—

"In page 23, line 41, after the word 'by,' to insert the words 'an Order of.'"

"In page 24, line 2, after the second word 'time,' to insert the words 'by order.'"—(*Mr. Churchill.*)

Amendments agreed to.

MR. CHURCHILL moved an Amendment to Clause 24 to give to the Board of Trade the duty of discriminating so far as possible between the river and the dock interests. It was, he said, an Amendment he had promised.

Amendment proposed—

"In page 27, line 7, to insert the words 'In prescribing the form of accounts the Board of Trade shall have regard to the desirability of showing separately so far as practicable such items of receipt and expenditure on capital and revenue accounts as are wholly or mainly attributable to the dock undertakings of the Port authority.'"—(*Mr. Churchill.*)

Amendment agreed to.

MR. CHURCHILL moved an Amendment to Clause 26, dealing with charitable subscriptions. Under the Bill, he said, the Port Authority was allowed to subscribe to certain charitable objects to which the old dock companies used to subscribe. The words, "with the consent of the Board of Trade" were inserted by a printer's error. It would be putting an unnecessary labour on the Board of Trade to require their consent in every particular case in which a constribution, for instance, was made to a hospital, to which dock accident cases might be taken.

Amendment proposed —

"In page 30, lines 17 and 18, to leave out the words 'with the consent of the Board of Trade."—(*Mr. Churchill.*)

Amendment agreed to.

Mr. Morton.

Amendments proposed—

"In page 34, line 21, after the word 'secretary,' to insert the words 'or assistant secretary.'"

"In page 34, line 25, after the word 'secretary,' to insert the words 'or assistant secretary.'"—(*Mr. Churchill.*)

Amendments agreed to.

MR. WALTER GUINNESS moved an Amend ment to extend the right to parties who were represented on the Port Authority of being heard against any Order of the Board of Trade. He thought it was probable that the word "Order" had been left out of the clause through inadvertence.

MR. RENWICK seconded.

Amendment proposed—

"In page 34, line 37, after the word 'Bill,' to insert the word 'Order.'"—(*Mr. Walter Guinness.*)

Question proposed, "That the word 'order' be there inserted."

MR. CHURCHILL said the Amendment was not necessary, and would make bad drafting. There would be regulations in the case of Orders.

MR. CLAUDE HAY asked whether it was to be understood from what had fallen from the President of the Board of Trade that it lay in the discretion of the Board of Trade as to whether any parties should be heard against any Order.

MR. JOYNSON-HICKS asked if the right hon. Gentleman would give an undertaking that he would provide in the regulations for the right of parties to be heard.

MR. CHURCHILL said the ordinary procedure would be fully adhered to.

MR. WALTER GUINNESS asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 36, line 12, after the second word 'of,' to insert the words 'or under the control of.'"—(*Mr. Churchill.*)

Amendment agreed to.

MR. CHURCHILL moved an Amendment to Clause 52 to provide that the financial periods of the dock companies should run on all fours. The Amendment, he said, was rendered necessary by the fact that the financial year of the Surrey Commercial Dock Company differed by three months from that of other dock companies.

Amendment proposed—

"In page 42, line 26, after the word 'eight,' to insert the words 'or, in the case of the Surrey Commercial Dock Company, for the last nine months of that year.'"—(*Mr. Churchill.*)

Amendment agreed to.

Amendments proposed—

"In page 42, line 28, after the word 'year,' to insert the words 'or those nine months.'"

"In page 42, line 28, after the word 'year's,' to insert the words 'or nine months.'"—(*Mr. Churchill.*)

Amendments agreed to.

*MR. RADFORD moved the omission of Clause 58, which provided for compensation to directors of the dock companies. The proposal, he said, was quite unusual, and almost unprecedented. What happened nowadays when a company was taken over by a public authority was that the compensation payable to the company was ascertained, and the directors who lost their posts brought their claims against the company, who discharged the claims. He knew no reason why that course, which was the normal and proper one, should not be pursued in this case. It could not be said that a fund of some £23,000,000 was inadequate to pay the directors the sum of £127,600, or something more than £3,500 apiece, and the only precedent that could be suggested for the course proposed was the case of the Metropolitan Water Board. But that was really not a precedent but a danger signal, and when it was proposed in that case it was opposed, he believed, by every Liberal Member in the House. He would be very sorry if that grew into a precedent. It had been suggested that the right hon. Gentleman might have proposed the clause because he was unwilling to swell the number of unemployed without providing remuneration for them, but if that were his motive, he could assure the right hon. Gentleman it was quite unnecessary, because he had looked into the occupations of the thirty-six directors concerned, and he found that nearly all of them, in addition to their own business, were directors of numerous other companies. Among them they held seventy-three directorships in other companies. He submitted that the clause was quite unnecessary, wasteful and profligate, and contrary to public policy. When directors were negotiating for the transfer of an undertaking to a public body they should look to the shareholders for any remuneration. He made no personal charge against the gentlemen concerned in this case, but he did say it was undesirable that their interest should conflict with their duty. He felt strongly about this matter, and if there were two Members in the House of a like mind with himself he should go to a division.

MR. CLAUDE HAY seconded.

Amendment proposed—

"In page 45, line 23, to leave out Clause 58."—(*Mr. Radford.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. CHURCHILL said the only issue involved was that between purchase by arbitration and purchase by agreement. The principle of purchase by agreement had been accepted with almost unanimity by the House. Of course, there were advantages from purchase by agreement and also advantages from purchase by arbitration. If they were to purchase by agreement this was an integral and essential part of the agreement, and he had no power to vary it without breaking the foundation on which the whole of this complicated bargain rested. The proposal was an essential part of the arrangement, and he had found it, after severe examination from many points of view, to be important in the public interests and generally acceptable.

MR. JOYNSON-HICKS was glad to have an expression on the part of the Government that anyone who held an office—and he supposed it would apply to a licence also—and who had an expectation of renewal, or, as in this particular case, an expectation of re-election, was entitled to compensation when that office was taken away from him. Under those circumstances he had the utmost pleasure in supporting the Government against the Amendment.

Mr. H. C. LEA (St. Pancras, E.) said he had very much pleasure in supporting the Amendment. It seemed to him that the duty of these directors ended with getting the best possible terms for their shareholders in accordance with the various articles of association, and it was a monstrous thing on the part of the Government to hand over £120,000 odd to be divided among these men merely to bribe them into concluding a bargain, and a bargain for which the London Members thought too high a price was being paid.

Mr. CHURCHILL said he must enter a protest against the use of the word "bribe" applied to an honourable condition. As having any part in the Bill he could not submit to that being said without making a protest.

Amendment negatived.

Amendments proposed—

"In page 48, line 24, after the word 'company,' to insert the words 'such of.'"

"In page 48, line 28, after the word 'three,' to insert the words 'as determine the rights of those officers in the event of the undertaking of the company being purchased in pursuance of any statutory power (except in the case of the two first-mentioned agreements the provisions of Clause 6 of those agreements.'"—(*Mr. Churchill.*)

Amendments agreed to.

Amendment proposed—

"In page 48, line 29, after the word 'section,' to insert the words 'both as to the conditions of employment (if the Port Authority elect to employ them) and compensation, and as respects the said provisions of those agreements the Port Authority shall, except as aforesaid, be subject to the exclusion of the company, to all the duties, liabilities, and obligations of the company under those agreements in like manner as if they were the company.'"—(*Mr. Churchill.*)

*Mr. MORTON moved an addition to the first Schedule, to provide that all the meetings of the Port Authority should be open to the public, unless otherwise determined by the majority of the members present and voting on the question. The hon. Member said he was unable the other evening to induce the President of the Board of Trade to accept the proposal, but he hoped the right hon. Gentleman was now in a better state of mind, and would agree to it. He thought it was a very desirable proposal. There was nothing in the Motion which would prevent the Port Authority closing their doors if they thought proper. If it was desirable to close the doors they could at once do so. They had a Standing Order of that sort in the Common Council, and it worked exceedingly well. The same practice obtained in that House. Under the old procedure any Member could say: "I spy strangers," and the doors closed at once, but that had been altered. He hoped, therefore, that the right hon. Gentleman would give way on the Amendment. He must have understood, from a hon. Member (Mr. Morrell) who had raised the question in another way, the necessity of the doors, under normal conditions, being open, at least to the Press and to the public, as far as there was room.

Mr. CLAUDE HAY seconded the Amendment.

Amendment proposed—

"In page 53, line 6, at end, to insert the words 'All the meetings of the Port Authority shall be open to the public unless otherwise determined by the majority of the members present and voting on that question.'"—(*Mr. Morton.*)

Question proposed, "That those words be there inserted."

Mr. CHURCHILL said the Port Authority was primarily a business body interested in a vast commercial concern and entrusted by Parliament with a grave and heavy responsibility. He did not think it would be to the advantage of the authority in any way if the proposal were accepted. His hon. friend must himself be aware of the disadvantages that sometimes followed on the sort of thing suggested in the Amendment.

*Mr. MORTON: No, never.

Mr. CHURCHILL said that sometimes there was a very shocking tendency on the part of Members to make longer speeches than they would otherwise do.

*Mr. MORTON: Our experience both at the Court of Common Council and the Thames Conservancy is the reverse of that.

Mr. CHURCHILL said that sometimes Members are found to make speeches not so much with a view to urging their point as with a view to attracting attention, perhaps not always of a very desirable character, out of doors. On reflection he did not feel it was desirable to alter the view he originally took of the proposal.

Amendment negatived.

Mr. CHURCHILL submitted Amendments with a view to making 1st June the uniform day for the periodical retirement of elected and appointed members of the Port Authority.

Amendments proposed—

"In page 54, line 26, to leave out the word 'June,' and to insert the word 'April.'"

"In page 54, line 33, to leave out the word 'June,' and to insert the word 'April.'"

"In page 54, line 33, to leave out the word 'twelve,' and to insert the word 'thirteen.'"

"In page 54, line 34, to leave out the word 'June,' and to insert the word 'April.'"—(*Mr. Churchill.*)

Amendments agreed to.

Amendment proposed—

"In page 58, line 30, to leave out the word 'prescribed,' and to insert the words 'set forth in a Provisional Order to be made by the Board of Trade.'"—(*Mr. Walter Guinness.*)

Mr. CHURCHILL accepted the Amendment.

Amendment agreed to.

Mr. CHURCHILL, in moving that the Bill be now read a third time, said he did not wish to take up the time of the House at such a late hour, but he would like to express, on behalf of the Board of Trade and of the Government, the substantial obligation they felt themselves under to all parties for their co-operation.

Motion made, and Question proposed, "That the Bill be now read a third time."

*Mr. MORTON said he hoped the right hon. Gentleman would not press the Third Reading that night. There had been a good many Amendments moved, and some carried, and they ought to have them printed and discuss the Third Reading at a reasonable hour of the day. He was aware that the right hon. Gentleman had the power to press the Third Reading, but it would be wrong to use that power in that way. It would absolutely prevent all of them who wished to do so having an opportunity of speaking against the Bill on the Third Reading in a way that they had not had up to the present moment. The Bill might be better described as a Bill to unload the Dock shares on to the public for the benefit of Trusts companies, speculators, and adventurers. All business men except those interested in the Dock shares were opposed to the purchase of the Docks. It was ten times worse than the purchase of the water companies undertakings.

Mr. CLAUDE HAY also appealed to the Government not to press the Third Reading that night. The right hon. Gentleman would, he was sure, be the first to acknowledge that throughout the discussion very important alterations had been made in the Bill. He was sure the right hon. Gentleman would bear him out when he said that a discussion often led to the Government giving an undertaking to meet any point that might arise by entrusting a Minister in another place with Amendments that would carry out pledges given by the Government. If the right hon. Gentleman would defer the Third Reading until Friday, he might rest assured that it would not take more than a few minutes, and yet might serve a useful purpose. The desire that there should be this further opportunity for discussion in accordance with the practice of the House was widely held.

Mr. JOYNSON-HICKS was sorry that he could not join in the appeal of his hon. friend. They had had a very pleasant evening, and on behalf of the few Members who had taken part in the discussion he begged to thank the right hon. Gentleman for the courtesy with which he had met them. He also congratulated him on the result.

Question put, and agreed to.

Bill read the third time and passed.

HOVING, TOWN PLANNING, ETC., BILL.

Order for consideration, as amended (in the Standing Committee), read, and discharged:—Bill withdrawn.

HOPS BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HOLT moved the adjournment of the debate. He pointed out that the Bill had only been in the hands of Members since the Wednesday morning, and it was then nearly three a.m. and Members had been given no time in which to consider it. That was really not a fit and proper time of the night or morning to ask the House to embark on the consideration of a highly contentious measure of that sort.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Holt.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs) trusted that his hon. friend would withdraw his objection to the Second Reading being taken that night. The Bill was framed purely to carry out the unanimous recommendation of the Select Committee appointed by the present Government to inquire into the question of preventing the use of certain deleterious hop substitutes and to impose the same conditions upon the importers of foreign hops as were already imposed by Acts of Parliament on British hops. The recommendation was strictly unanimous; Members of both parties agreed to it and there was nothing in the Bill which had not been before the House of Commons for months past. If his hon. friend had read the Blue-books he would have discovered that this was not a new thing at all but was purely a confirmation of what had been already put in the draft Bill introduced by another hon. Member. If his hon. friend would allow the Government to get a Second Reading of the Bill that night he would have a full opportunity of discussing its details in Committee of the Whole House, and any objections he might have with regard to the first part of the Bill which related to hop substitutes, or the second part which regarded the marking of hops, could be thoroughly ventilated. He wished to make it quite clear to the House that the Government had no desire to withdraw the Bill from the consideration of the House.

*MR. LEIF JONES (Westmoreland, Appleby) desired to join in the appeal to the Chancellor of the Exchequer not to proceed with the Second Reading of the Bill at that sitting. The right hon. Gentleman had told the House that the Committee were unanimous upon the Bill. That might be so; but it was certainly the case that the House was not at all unanimous upon it, nor even the party of which the right hon. Gentleman was so distinguished an ornament. The Bill had only been put in the hands of Members that day and there had scarcely been time to study it; therefore he did not think the right hon. Gentleman ought to ask them without notice to commit themselves to the principle of the Bill. He certainly would be bound, if the right hon. Gentleman persisted in pushing forward the measure, to ask the indulgence of the House while he stated the very strong objections he and others felt towards the Bill.

*SIR W. J. COLLINS (St. Pancras, W.) said if there happened to be anything controversial in the propositions contained in the Bill, that certainly did not show itself in the Report of the Select Committee. Although acutely divided on the question of an import duty on hops, the Committee were absolutely unanimous in regard to these two simple questions as to which it was thought that hop-growers had a legitimate grievance. The matter was very thoroughly threshed out by the Committee whose Report had been before the Members of the House for some time and had been fairly well discussed outside. Hop growers attached great importance to the matters dealt with in the Bill, and he hoped, therefore, that the discussion would be reserved to the Committee stage.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden) did not think there was very much chance of the Committee stage being proceeded with that week, but he hoped they would be able to secure an opportunity next Monday. It was only fair to the House to point out that in the Prime Minister's statement made earlier in the sitting, it was announced that in the event of opposition being offered to the Bill, the Government did not propose to proceed with it. The House would have a much better opportunity of judging the extent of the opposition to the Bill after Amendments had been put down than could be possibly disclosed by a Second Reading debate.

Question put, and negatived.

Original Question again proposed.

*Mr. LEIF JONES moved that the Bill be read a second time on that day three months. He felt bound to put forward the objections he entertained to the Bill. It had been said and it was well-known that the Bill was the outcome of the Select Committee on hops, over which the hon. Member for St. Pancras, W. presided. That was the origin of the Bill as it stood, but the genesis of the measure was to be found in the Pure Beer Bill, presented to the House for many years in succession during the last and the early days of this century. In fact the first part of the Bill was practically the same as Clause 4 of the Pure Beer Bill of 1902, which prohibited the use of hop substitutes in the brewing of beer. At that time the proposal was hotly opposed by the Liberal Leaders of the House, who were then in opposition He had searched the records of the debates in the hope of finding an eloquent speech delivered by the Chancellor of the Exchequer against the proposal. The right hon. Gentleman, however, apparently did not speak, but the late Sir William Harcourt spoke very strongly and Mr. Fletcher Moulton, as he then was, made a speech on the Pure Beer Bill, which he thought went far to destroy the case for the right hon. Gentleman's Bill at the present time. The motive that lay behind the Bill was not very obscure; the whole agitation which led to the Bill came from those who desired protection for the hop industry in this country. The aim of the first part of the Bill was to give protection to the hop growers. The hon. Member for Gravesend was very much alarmed in the early part of the year at the tremendous dumping of foreign hops from California, which was magnified by his imagination, and to a very great extent led to the appointment of the Select Committee, and finally to the present Bill. Although the Committee failed to see that any protection was necessary, in the suggestion to prohibit hop substitutes they were clearly giving a protective advantage to hops.

Lord BALCARRES (Lancashire, Chorley): Why not?

*Mr. LEIF JONES thought the interruption of the noble Lord should give a warning to Members on the Ministerial side of the House of the true character of the Bill. Whether it was the intention of the Government to give protection or not, he unhesitatingly said the effect of the first part of the Bill would undoubtedly be to give protection to hops. It was admitted by everyone, and certainly by a good many witnesses before the Committee, that the use of these hop substitutes chiefly occurred when the price of hops was high. To prohibit the use of substitutes would have the tendency to raise the price of hops, and, therefore, it could not be denied that that part of the Bill would be of a protective character. Another objection to the Bill was that it was anti-scientific. He was surprised that an eminent scientist like the Member for West St. Pancras should associate himself with a proposal which was definitely aimed against chemists and chemistry. The House was asked to assume that it would be the right thing to prohibit the use of hop substitutes, but if this sort of doctrine had prevailed and the Government had been led to say what should, or should not, be used in brewing beer, he would like to point out that no hops could be used in making beer in this country at all, because, in the time of Charles II, the use of hops was prohibited by the law of the land. In those days anyone using hops was liable to be imprisoned, and the hop was known as "the wicked weed." If the proposals of the Chancellor of the Exchequer underlying that Bill had prevailed at that time no hops could have been used at all, and they would not now have been asked to stereotype the present practice. They were wantonly interfering with industry. The brewery industry had become very highly developed. It employed excellent chemists, and he did not see why they should be prevented from employing scientific substitutes for hops if they could do so. No need had been shown for the prohibition. The Committee which had sat this year had differed from the Departmental Committee which had sat in 1899, of which Lord Pembroke was the Chairman. That Committee had been satisfied from the evidence put before it that no deleterious materials were introduced into beer by way of substitutes for hops. Was it contended that there had been a great change in the last ten years? He found no evidence of such a change. The Committee of 1899 had recommended that there should be a declaration as to the hop substitutes which were used by brewers, and since 1901 that had been carried out, and the figures in the Select Committee's Report did not show that there had been any increase in the use of hop substitutes. In 1902 the percentage was ·05. It rose to ·14 in 1905, and in 1907 sunk to ·08. That did not show that the use of these substitutes was increasing, but rather that substitutes were not in general use. Everybody agreed that there was no satisfactory substitute for hops, and the substitutes that were used would only be used for particular classes of beer. He would not oppose any proposal to stop the putting of deleterious substances into beer, though he was afraid he would never be able to get what he regarded as the most deleterious material done away with. He thought it would be undesirable that a Liberal House of Commons should pass that Bill. He had been sorry to detain the House at that late hour, but he felt very strongly on the subject, and unless the right hon. Gentleman was able to effect a great change in his views he could offer him no prospect of the Bill having a non-contentious passage through the House.

*MR. DUNDAS WHITE (Dumbartonshire) seconded the rejection of the Bill. If the object of the Bill was to prohibit the use of hop substitutes with a view to securing public health, the prohibitions should extend only to such substitutes as were deleterious.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr Leif Jones*).

Question proposed, "That the word 'now' stand part of the Question."

Mr. Leif Jones.

*SIR W. J. COLLINS said he resented the suggestion of the hon. Member for Appleby that the Report of the Committee on the question of hops had suggested protection. As a matter of fact he had seen that Report used for the purpose of propaganda by the Free Trade Union. If the hon. Gentleman had read the Report carefully he would have seen that the case for protection in regard to the hop industry had been disproved by the figures it contained.

MR. LEIF JONES said what he had stated was that the Report had exploded the idea that it was protection, but for all that the Bill was a protective Bill.

*SIR W. J. COLLINS said he thought the marking of foreign hops and the prohibition of hop substitutes could be entirely justified on grounds other than protection. The hon. Member who had carried his researches back to the time of Charles II. in his speech had omitted altogether to make any reference to the Report of the Royal Commission on arsenical poisoning in 1904. In the evidence it was shown that some, at least, of the hop substitutes contained deleterious ingredients. The Bill, if passed, would meet the legitimate grievances of hop growers, but it was in no way a protective measure.

MR. BENNETT (Oxfordshire, Woodstock) said he only rose to give one more indication of the strong feeling of Members sitting on that side of the House who cherished free trade feelings, against this Bill. It would be some satisfaction to them if the Bill was wanted by some considerable section of the community, but there was no evidence of that. As far as he had been able to discover it was not wanted by the brewers. They knew perfectly well that one portion of the Bill would have the effect of limiting the supply of hops from Austria and Germany. It was also quite clear that the brewers realised the necessity for having a constant supply of hops from abroad. A very well known brewer had said that before the Committee, and because of having given that evidence he had had the mortification of having his own beer boycotted. Subsection (*a*), Clause 2, provided that the name of the planter or grower of the hop was to be placed on the packet. That provision was perfectly possible and could be carried out in many places. It was quite impossible to carry it out satisfactorily in Germany or Austria, for the hops there were produced by the small holders and were brought to England in small quantities to which it would be quite impossible to attach individual names. The whole object of the Bill was, so far as possible, to keep German and Austrian hops out of this country. That was a tariff reform touch, and he was surprised that the Government had agreed to it. The Attorney-General, giving evidence before the Committee, had called attention to the immense difficulties following on attempts to mark goods coming from abroad. He had given instances where the law had been got over, and had spoken of some people, known as "the lost souls," who were prepared at any moment to provide formal affidavits. He was surprised that so transparent a tariff reform device as that which had been practised in this case should have escaped the notice of the Chancellor of the Exchequer.

Amendment negatived.

Main Question put, and agreed to.

Bill read a second time.

Bill committed to a Committee of the Whole House for this day.—(*Mr. Lloyd-George.*)

IRISH LAND BILL.

Order for Committee read, and discharged.

Bill withdrawn.

TRAWLING IN PROHIBITED AREAS PREVENTION BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

CONTEMPTS OF COURT BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

COUNTY COURTS BILL [LORDS].

Order for Second Reading read, and discharged.

Bill withdrawn.

LOCAL GOVERNMENT (IRELAND) BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

LICENSING (CONSOLIDATION) BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

ELECTION OF ALDERMEN IN MUNICIPAL BOROUGHS BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

LONDON PAVING EXPENSES BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

BUILDING OPERATIONS AND ENGINEERING WORKS BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

BAIL BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

BUXTON CHARITY BILL.

Considered in Committee.

(In the Committee.)

Clause 1:

MR. CLAUDE HAY asked for some information about the Bill. The Schedule contained various provisions which were almost unintelligible. He wished to protest against the Bill being taken in that form without any scheme in regard to it having been put forward.

MR. SOARES said the whole scheme was put forward in the Schedule. There had been an agreement in regard to the

Bill. It had been arranged that the Bill should be printed, and put in the Library of the House, and on that condition the noble Lord the Member for Chorley had agreed to let it go through its Committee stage and Third Reading.

Clause agreed to.

Clauses 2 and 3 were added to the Bill.

Schedule :

Mr. CLAUDE HAY asked what were the conditions in the Schedule in regard to property. The Bill gave the Church in question powers to take certain action by special resolution, but there was nothing whatever in the document to prescribe how such a resolution was to be arrived at, how a meeting was to be called, what a quorum was. That omission was singular when the Long Ashton Bill provided for the points referred to. In fact the whole document seemed to be most slovenly. He wished to enter a protest against Bills being put before the House at that hour in the morning and not printed and presented in the form which was usual in regard to public Bills presented to the House of Commons. There was nothing in the Schedule to make the trustees fill up vacancies, and it would appear that the whole of the property and the duties appertaining thereto might devolve upon one person, who might call himself the Church and pass a special resolution enabling him to dispose of the property.

Mr. SOARES said the whole of the scheme and the provisions in Section 8 of the Schedule had been approved of by all parties, and no objections whatever had been raised by anyone. As to the question as to what a special resolution meant, if the hon. Member would refer to Section 16 he would see it was there described as a resolution passed at a special Church meeting by a majority of not less than two-thirds of the persons present and voting.

Schedule agreed to.

Bill reported, without Amendment; read the third time, and passed.

LONG ASHTON CHARITY BILL.

Considered in Committee, and reported, without Amendment; read the third time, and passed.

ABBOTS BROMLEY CHARITY BILL.

Considered in Committee.

(In the Committee.)

Clause 1:

Mr. CLAUDE HAY said that power was given the trustees to deal with the property without the necessity of obtaining the consent of the Church. Why should the trustees be free from obtaining the consent of their constituency for the disposal of the trust confided in them? Did that power relate to any property over which the Charity Commissioners had no jurisdiction?

Mr. SOARES said the reason why those powers had been conferred upon the trustees was because the trustees desired them, because all those people who were interested in the Charity desired them, and because the Charity Commissioners thought it wise.

Mr. CLAUDE HAY: Is this the usual practice in connection with Bills of this sort?

Mr. SOARES: Yes.

Mr. CLAUDE HAY said that if a man was a trustee it was a very singular thing that with respect to a portion of the trust he should be subject to control, and with respect to another portion he should be an absolutely free agent. He did not believe it was usual, and he had some reason for saying so.

Clause agreed to.

Bill reported, without Amendment; read the third time, and passed.

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

Whereupon Mr. **Deputy-Speaker** in pursuance of the Order of the House of 31st July. adjourned the House without Question put.

Adjourned at twenty-nine minutes after Three o'clock, a.m.

HOUSE OF LORDS.

Thursday, 10th December, 1908.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition for amendment of; of county council of the county of Forfar; read, and ordered to lie on the Table.

PORT OF LONDON BILL.

Petition to be heard against; by Counsel of the Conservators of the River Thames; read and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TREATY SERIES, No. 32 (1908).

Procès-Verbal between the United Kingdom and Bulgaria, respecting customs duties supplementary to the Commercial Convention of the 9th December, 1905; signed at Sofia, 13th November, 1908.

EVICTED TENANTS (IRELAND) ACT, 1907.

Return giving particulars of cases in which persons have been re-instated with the assistance of the Estates Commissioners, during the quarter ended 30th September, 1908.

Presented (by Command), and ordered to lie on the Table.

PORT OF LONDON BILL.

Brought from the Commons, and read 1ª; to be printed; and to be read 2ª on Monday next.—(*The Lord Hamilton of Dalzell*). (No. 244.)

BUXTON CHARITY BILL (No. 245).
LONG ASHTON CHARITY BILL (No. 246).
ABBOTS BROMLEY CHARITY BILL (No. 247).

Brought from the Commons, and read 1ª; to be printed; and to be read 2ª on Monday next.—(*The Lord Denman.*)

BUSINESS OF THE HOUSE.

LORD CLINTON: My Lords, I should like to ask the Leader of the House a Question of which, I understand, he has received private notice—namely, whether, in view of the statement made by the Prime Minister that we are face to face with the prorogation next week, he considers that this House will be prepared to get through the very large amount of contentious business indicated by the Government so as to enable the prorogation to take place at that date.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, I am happy to reply to the Question of the noble Lord, of which I have received a kind of vicarious notice. The noble Lord, I think, will see that it is very difficult to reply with any certainty to his question. Until we know what Amendments are put down to the two important Bills which the House will have under consideration next week, what the character of those Amendments is, and how long the discussion is likely to take upon them, it is very difficult to say whether the Prime Minister's forecast is likely to be fulfilled. My right hon. friend used these words, that the House might be face to face with the prorogation; but, of course, it is possible to be face to face with a thing and not to be in absolutely close approximation to it. We cannot, I think, altogether disregard the possibility of the House having to sit into the following week if it should turn out that Amendments are made in this House of a far-reaching character to either of the important Bills to which I have referred. More than that I cannot say at present.

*THE MARQUESS OF LANSDOWNE: My Lords, I think it is fortunate that the noble Earl has qualified the somewhat optimistic statement made in the House of Commons by the Prime Minister. The noble Earl has said, with great force, that it is quite impossible to predict with any approach to certainty that our business will be completed next week. I am afraid that even that, unless I greatly misapprehend the amount of work which lies before us, is a somewhat sanguine estimate. The noble Earl last night assumed that we would take the Second Reading of the Port of London Bill on Monday and the Second Reading of the Coal Mines (Eight Hours) Bill on Tuesday. That would leave us four days for the whole of the remaining

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

stages of those two important measures, in which many of your Lordships take a great interest, for two or three other Bills which have yet to be disposed of, and, last but not least, for the discussion of Amendments which your Lordships have made in Bills that have already gone to the House of Commons and of Amendments which your Lordships may make in the Bills that have yet to come before us. To suppose that that amount of business could be forced through your Lordships' House in the compass of four days seems to me to be a really extravagant anticipation. I really rose because I think it is for the convenience of the House that noble Lords should be aware that, in our opinion, it will be absolutely necessary, unless some entirely new development takes place, that the House should sit on at least two days of the week following.

LOCAL REGISTRATION OF TITLE (IRELAND) AMENDMENT BILL.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Lord Atkinson.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

LORD ATKINSON moved an Amendment restricting the power given to rectify the omission to register the ownership of land acquired by any rural district council under the Labourers (Ireland) Acts to land acquired on or before 1st March, 1908.

Amendment moved—

"In page 1, line 8, after the word 'it,' to insert the words 'on or before the 1st day of March, 1908.'"—(*Lord Atkinson.*)

On Question, Amendment agreed to.

Clause 1, as amended, agreed to.

Remaining clauses agreed to.

Standing Committee negatived; The Report of amendment to be received on Tuesday next, and Standing Order No. XXXIX. to be considered in order to its being dispensed with: Bill to be printed as amended. (No. 284.)

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, I owe an apology to the House for asking your Lordships at this late period of the session to give a Second Reading to this Bill, but it is not altogether my fault. I got the Bill through the different departments concerned by the end of October, and I introduced it in your Lordships' House on 4th November. Since then I have given considerable time for examination of the measure by noble Lords opposite, and I am glad to say I shall be able to accept some verbal Amendments of which notice has been given. It is a consolidating Bill merely, and, to the best of my knowledge, contains no new matter. The Bill is generally asked for in Scotland, and I therefore respectfully ask the House, even at this late period of the session, to be good enough to give it a Second Reading.

Moved, "That the Bill be now read 2ª."—(*Earl Carrington.*)

*THE EARL OF CAMPERDOWN: My Lords, we are all very much obliged to the noble Earl for the time he has allowed for the examination of the Bill before asking us to give it a Second Reading. As a consolidation Bill this will be a very useful measure; but there are in it two provisions differing from the existing law, the first being in Clause 6. As the law now stands, a tenant is required to make a claim for compensation before the termination of his tenancy; but, under the Bill, all that is required is that the tenant should give notice that he intends to make a claim. Your Lordships will see that there is a very substantial difference between those two things. The result might be that the claim would not be made until two or three years later. In this particular the Bill makes an alteration in the law, whereas our conception of a consolidating Bill is that it merely consolidates the law without making any charge whatever. Another point concerns the mode of arbitration to be followed under the Bill, as to which I should like some explanation. Your Lordships will remember that the Agricultural Holdings Bill as relating to Scotland provided that in future all arbitrations were to be conducted by one arbiter, notwithstanding any agreement to the contrary. It was seen in this House that that might create very great confusion in regard to the important matter of sheep valuation, and words were inserted here which made it clear that the clause should not so apply. The noble Earl opposite, however, adopted the advice of the Solicitor-General in the House of Commons that the words were quite unnecessary, with the result that within three months he was besieged from all quarters in Scotland on the subject. This Bill, I am told, proposes to meet that difficulty by inserting a new definition of the word "agreement." It is provided in Clause 35 that—

> "'Agreement' includes an agreement arrived at by means of valuation or otherwise, and 'agreed' has a corresponding meaning."

How does that affect the question in any way? Clause 11 runs—

> "All questions which under this Act or under the lease are referred to arbitration, shall, whether the matter to which the arbitration relates arose before or after the passing of this Act be determined, notwithstanding any agreement under the lease or otherwise providing for a different method of arbitration, by a single arbiter."

I do not see that it makes the slightest difference what definition you attach to the word "agreement" if you say that notwithstanding any agreement one arbiter is to act. Perhaps the noble Earl will be able to explain that to me on some future occasion. In all other respects I think the Bill conforms to the law as it now stands.

LORD BALFOUR OF BURLEIGH: My Lords, I hope the House will not pass this Bill at the end of the session. I do not think it is at all a safe thing to do. The noble Earl the President of the Board of Agriculture told us that it was purely a consolidating Bill, but the noble Earl who has just sat down has referred to two very important points where the provisions differ from the existing law. I cannot conceive that it is possible for the Bill to become law this year, and it seems to me that it would be very unwise for this House to part with control over it at this period of the session. There is a Committee presided over by the Lord Chancellor which looks after consolidation Bills, and if the noble Earl would agree to refer the Bill to that Committee I am sure it would get most favourable consideration next session. The definition of "agreement," to which the noble Earl, Lord Camperdown, has just called attention, is in itself absurd, and is another pitfall in the way of those who have to read the Bill. In the first place, it is entirely new matter; and while it proposes to define the words "agreement" and "agreed," it does not define the word "agree." I have had two or three communications from lawyers in Scotland upon this point, urging most strongly that the Bill should be carefully considered. I need not labour the matter so far as the other points are concerned; but it cannot have been by carelessness that the draftsman made the change requiring only notice of intention to make a claim to be given before the termination of the tenancy. That is a very material, and, I consider, grossly unfair change to propose. It has been protested against to me by a dozen people from all parts of Scotland. Then there are great difficulties with regard to the definition of what is known in Scotland as temporary pasture. A change in the law would, no doubt, be an advantage. That, however, cannot be done in a consolidation Bill. But if the Bill were referred to the Committee on Consolidation Bills, it would be easy, by means of a schedule showing the change, to get a slight change of that kind made. I do not think it is safe to part with this Bill at this period of the session, and I therefore trust that, if we agree to the Second Reading being taken now, we shall not be asked to proceed further with the Bill this session.

EARL CARRINGTON: My Lords, I am, of course, entirely in the hands of the House. I have explained how it is that the Bill has been brought before your Lordships at such a late period of the session, and if the noble Lord opposite chooses to take the responsibility of stopping the Bill I can say nothing. I might mention that only on Tuesday I received a deputation of Scottish farmers on this subject. Noble Lords acquainted with Scottish farmers know that they are a very resolute, determined, and outspoken body of men. Some of them were extremely outspoken, and they said they were determined to have the Bill this session. There is really very little difference between the noble Earl opposite and myself. I think the noble Earl is perfectly right, and I am quite ready to accept an Amendment carrying out his view with regard to Clause 6. As the only difference between us seems to be as to the meaning of the word "agreement," I honestly think we might come to some satisfactory conclusion on that point. I hope noble Lords opposite will let us get the Bill through.

*THE MARQUESS OF LANSDOWNE: My Lords, the noble Earl warned my noble friend, in rather solemn accents, of the responsibility which will rest with him if he stops this Bill. But what will happen supposing the Bill is not proceeded with now? I do not think it will make any difference whatever either to the farmers of Scotland, or to the ultimate prospects of the Bill. This is a Bill which has orignated in your Lordships' House. I do not apprehend that the noble Earl intends that it should pass through all its stages in this House and in the House of Commons as well before the end of the session.

EARL CARRINGTON: Yes, if your Lordships will give me a chance.

*THE MARQUESS OF LANSDOWNE: Then we have another little Bill added to the twenty-five Bills which the Prime Minister light-heartedly said he wished to see passed before this session came to an end, and one which, moreover, contains, apparently, some very contentious matter. Surely the reasonable course is that the noble Earl should be content with the perfectly friendly reception which has been given to his Bill, should introduce it again at the beginning of next session, when we are not likely, if it is a consolidation Bill pure and simple, to take long in discussing it, and then send it down to another place. That seems to me a reasonable and businesslike mode of procedure.

*THE EARL OF CREWE: My Lords, I must say I think my noble friend behind me has not been entirely well treated in this matter. He seems to have met noble Lords opposite in every possible way by giving them the opportunity of thoroughly examining the Bill. I have no doubt they have taken the fullest advantage of this, and it does seem to me a little ungracious now to refuse to pass the Bill, assuming that it is, as my noble friend has declared it is, purely a consolidation Bill. Of course, I have no personal knowledge as to whether or not there is any new matter in the Bill, but, assuming that my noble friend is willing to make it quite clear, as I think he can, that it is a consolidation Bill pure and simple, I should have thought we might have proceeded with it as a purely formal matter, and that there would be no difficulty in passing it through another place.

THE EARL OF HALSBURY: My Lords, I have had to pass many consolidation Bills and have always undertaken that they were purely consolidating and contained nothing new. But, in regard to this Bill, two noble Lords have pointed out that new matter of a highly contentious nature has been introduced. Take, for instance, the provision referred to by Lord Camperdown that, notwithstanding any agreement under lease or otherwise providing for a different method of arbitration, all questions shall be determined by a single arbiter. I know nothing of the merits, but if that is a new provision it seems to me a very important provision and certainly one which ought not to be passed without due consideration. If it is true the new matter has been introduced, it cannot be suggested that this is merely a consolidation Bill.

LORD SALTOUN: My Lords, the object of this Bill is declared in its title to be to consolidate the enactments relating to agricultural holdings in Scotland, but there is, as has been explained, a certain amount of new matter. If the noble Earl, the President of the Board of Agriculture, would take out the new matter to which we object we should be very glad to facilitate the passing of the

Bill, which would, I am sure, prove of the greatest benefit to the whole country. But if the noble Earl cannot see his way to do this, I hope Lord Balfour's suggestion will be adopted.

On Question, Bill read 2ª, and committed to a Committee of the Whole House on Monday next.

PREVENTION OF CRIME BILL.

[SECOND READING].

Order of the Day for the Second Reading read.

THE LORD STEWARD (Earl BEAUCHAMP): My Lords, your Lordships have already given a warm welcome to two measures promoted by His Majesty's Government dealing with criminals—one, the Probation of Offenders Act, passed last session, and the other the Children Bill of this session, many of the clauses of which dealt with children who were criminals. To-day His Majesty's Government ask your Lordships to give a Second Reading to the Prevention of Crime Bill, the last, so to speak, of the series, which deals with offenders older than those embraced in either of the other Bills to which I have referred.

This Bill is divided into three parts. Part I. has reference to the reformation of young offenders, and the eight clauses in that Part deal chiefly with the question of the establishment of Borstal institutions in various places up and down the country. I think it would be useful in this connection to give your Lordships some figures with regard to the number of young offenders. Statistics were taken out some years ago to show the age at which criminals first fell into crime. The result was that out of 1,181 convicts, no fewer than 704 had fallen into crime before they were twenty-one years of age. I think your Lordships will agree that that is a very remarkable proportion. We have on similar occasions agreed that prevention is better than cure, and it is the object of these Borstal institutions, if possible, to prevent these lads from returning to a life of crime.

I would draw your Lordships special attention to Clauses 5 and 6. There special provision is given enabling the Secretary of State to release on licence. That is really the essence of the Bill, certainly of this part of the Bill, the idea being that these young men should be released on licence, and watched while out on licence; if they work well, there is every reason why they should be allowed to remain out on licence, but if at any time they show signs of falling back into criminal practices, they will be forthwith put into prison again. In order to carry out this system of licences, it is also important that the Courts should have the power of passing longer sentences, because there must be a power given to the authorities to bring the lads back again, if they do not take proper advantage of the licence given to them.

Clause 6 provides that where a person detained in a Borstal institution is reported to the Secretary of State by the visiting committee of such institution to be incorrigible, or to be exercising a bad influence on the other inmates of the institution, the Secretary of State may commute the unexpired residue of the term of detention to such term of imprisonment, with or without hard labour, as the Secretary of State may determine, but in no case exceeding such unexpired residue. The Bill provides also for Treasury contributions being given for assisting and supervising persons on licence. I would ask your Lordships to notice the classes of offenders who will be sent to these Borstal institutions. In the first place, first offenders ought not to be sent, for it is thought they would suffer by association with the habitual criminals for whom these institutions are really intended. Neither should lads who have been in reformatory schools, and failed to profit by them, be sent; they have had their chance, and, if they have not taken it, it is usually thought hopeless to attempt to reform them. Next, only lads physically fit should be sent, the idea being that when they come out of the Borstal institution they will be able, by their own energy, to earn an honest living.

Part II. of the Bill deals rather with the opposite end of the scale—namely, with those who have persisted in criminal courses and who are the most hopeless class of criminals of all. The first clause in Part II.—Clause 9—gives power to the Court to pass sentence of preventive detention in addition to penal servitude. The idea is that when a prisoner has been convicted and has also been found to be, in the meaning of this Bill, a habitual criminal, he may, under certain circumstances, be sentenced to a period of detention not exceeding ten nor less than five years. We wish to detain those criminals who, as soon as they are out of prison, immediately begin to plan a further crime. In the year 1900, out of a male convict population of 2,624, no fewer than 1,476 had been convicted five times or more. On March 31st this year, the total was 2,897, of whom 2,376, or over 82 per cent., had been previously convicted, while 1,073 had actually undergone previous sentences of penal servitude. The unfortunate thing is that with every conviction the probability of return seems to increase; that is to say, convicts once started have entered upon a very slippery slope. Of the men in prison for the first time, 30 per cent. returned; of those who came in a second time, 48 per cent. returned; of those who came in a third time, 64 per cent. returned; of those who came in a fourth time, 71 per cent. returned; and of those who came in a fifth time, 79 per cent. returned. The figures seem to show that this constant returning to prison is rather on the increase than on the decrease. The object of the Bill is to provide a form of detention under easier conditions than at present exist, when prisoners are sentenced to a long term of penal servitude. It is quite true that in most of the cases coming within this part of the Bill the Courts have already power to pass very long terms of penal servitude; but that is a severe form of punishment and Judges are very often unwilling to commit offenders for a long time, however certain it is that on their release they will return to a career of crime.

Prisoners will be allowed, while in these places of detention, to earn a small sum by way of wages, and they may spend it on newspapers, extra food, and, perhaps, on tobacco. They will be allowed to associate more than is the case in an ordinary prison, and they will be kept at labour sufficient to inculcate, if possible, habits of industry. But previous to this detention they will, of course, have to undergo a form of severe punishment; otherwise, this might become an attractive feature to some criminals. Therefore it is provided that preventive detention can only follow a period of penal servitude. It is desired to provide for the prolonged detention of persons who may be called professional criminals, and therefore prevent them roaming at large meditating and committing fresh crimes. It is not intended that anybody should be sentenced to preventive detention who has not committed a crime deserving at least three years penal servitude.

There are ample safeguards to secure that this period of detention is not inflicted upon prisoners without proper precautions. First of all, your Lordships will see that the charge of being a habitual criminal cannot be inserted in an indictment without the consent of the Director of Public Prosecutions. The second safeguard is that seven days notice has to be given. There is a third safeguard in the appeal, without leave, to the Court of Criminal Appeal. Then there is the safeguard of the Judge who has to inflict the sentence, and, in addition to that, it is provided in Clause 12 that the Secretary of State shall, once at least in every three years, take into consideration the condition, history, and circumstances of the person with a view to determining whether he should be placed out on licence, and, if so, on what conditions; and then the Secretary of State has power to let the man out on licence.

I think I have now covered the whole of the important clauses of the Bill. If there is one principle underlying it, it is that there should be individual study of the character and habits of each prisoner, and the punishment in future will much more fit the individual than has been the case in the past. I hope the Bill is sufficiently uncontroversial for your Lordships not only to read it a second time but to give it an easy passage, and I feel sure that in time to come this Parliament will be celebrated for having passed three measures, if not four, of considerable importance in the reform of criminal procedure.

Moved, "That the Bill be now read 2a".—(*Earl Beauchamp.*)

LORD ASHBOURNE: My Lords, I should be very sorry to interpose any obstacle in the way of the passing of this Bill. I think it is impossible to have listened to the very clear statement of the noble Earl in moving the Second Reading without very great sympathy. The

Borstal system is one deserving of every encouragement, and I am sure the views which the noble Earl expressed commended themselves to every one anxious for reform in these matters. I do not know whether the Government have considered the number of Borstal institutions they think it will be desirable to set up or whether they regard that so much as a matter of detail that they have not yet applied themselves to it. At any rate, it will be necessary to consider that as time goes on. While regarding with considerable favour the provisions for dealing with the detention of habitual criminals I think the safeguards to which the noble Earl directed attention are wise, though I am not sure that the same consistent thought runs through the entire Bill. I am unable to find that the safeguards which are necessary for England have been given effect to in the case of Scotland and Ireland. In regard to England, a man is not allowed to plead guilty to being a habitual criminal. That is the highest form of proof that can be conceived, yet it is not apparently to be permitted. Clause 9, subsection (2), runs—

> "A person shall not be found to be a habitual criminal unless the jury finds on evidence——"

and so on. There is no suggestion anywhere that the Court can take the shorter method of asking the prisoner whether he is guilty. But when I come to Scotland, I find this provision in Clause 15, subsection (5)—

> "Where, in Scotland, the accused pleads guilty to being or admits that he is a habitual criminal, such plea or admission shall be equivalent to the finding of the jury under Section 8."

This contrast may not be intended, and I draw attention to it merely that it may be considered. There is another point. The noble Earl quite rightly indicated that one of the checks against possible miscarriage was the opportunity of appeal. In Scotland three Judges may be constituted a Court of Appeal. There is no Court of Criminal Appeal in Ireland, and, so far as I can see, it is not proposed to set one up under this Bill. Reference is made to the Crown Cases Act, 1848, but I am not aware that any Act in Ireland gives power of re-measuring a sentence and calculating the discretion exercised in its award. On the whole, however, I am in favour of the Bill and upport the Second Reading.

THE EARL OF MEATH: My Lords, there are some of us who do not always welcome Bills from the Government bench, but in this case I congratulate His Majesty's Government on having brought in a most excellent measure. I quite agree with the noble Earl the Lord Steward in thinking that this Parliament will be gratefully remembered as one which has, in two Bills at least, taken great and forward steps for the prevention of crime and the proper training of the rising generation of this country. But, although I am satisfied that this is an excellent Bill, I should like to draw attention to one point in regard to which the Government may see their way to making some slight alteration in Committee. I refer to Clause 2. That clause provides that where a youthful offender, sentenced to detention in a reformatory school, is convicted under any Act before a Court of summary jurisdiction of the offence of committing a breach of the rules of the school, or of inciting to such a breach, or of escaping from such a school, and the Court might under that Act sentence the offender to imprisonment, the Court may, in lieu of sentencing him to imprisonment, sentence him to detention in a Borstal institution for a term not less than one year nor more than three years, and in such case the sentence shall supersede the sentence of detention in a reformatory school. Now, a Borstal institution is not a place of punishment, but a place for reform. I can quite understand the Government saying they do not think the reformatory system a good one and that lads of that character ought to be placed in Borstal institutions, but I cannot understand why a boy who is in a reformatory school because of his past conduct should be sent to a Borstal institution, where he will have a pleasanter time, if he is convicted of the additional offences mentioned in Clause 2. I merely draw attention to that point in order that it may receive consideration.

EARL RUSSELL: My Lords, I desire to draw attention to some of the provisions of Part II. of this Bill, and to ask your Lordships to consider the principles which underlie the legislation therein contained. For five or six years there has been a growing development noticeable in the tendency to introduce the indeterminate sentence, which has been so much discussed by criminologists. Personally I am in accord with the principle so far as I understand it. The principle of the indeterminate sentence, according to the writings on this subject of Sir Robert Anderson, and others, is, I think, that a person who is a nuisance and a danger to society should be removed indefinitely until he has ceased to be a source of danger. It is perfectly obvious that here the idea is that the criminal with whom you are dealing is a person who has passed all likely chance of reform, and that it is certain from your knowledge of his record that he will commit crime again. Punishment inflicted, therefore, with the idea of reform would disappear in his case, that is to say, you are bound to admit that you cannot hope to reform him. If, therefore, you remove him indefinitely from society, your object is not so much that of reform as of protecting society. The object, therefore, is a perfectly legitimate object; it is also, in a sense, a selfish one, for it is the protection of society, not the reclamation of the criminal. If that kind of punishment is applied to the criminal, then it seems to me his seclusion should be surrounded with as little discomfort as you can reasonably make it; he ought to be treated fairly and kindly, and almost in the same kind of way as persons are treated in asylums. But there is a defect in the logic on which the Bill is based The criminal is going to be punished first with a sentence of penal servitude, though if the object is to reform him there can be no particular reason in imposing a punitive sentence. I think the fact that the Judge has to give the prisoner three years penal servitude first may make him in some cases unwilling to impose the preventive detention which the criminal has so richly earned, and which all would feel would be the proper punishment in the interests of the protection of society. For that reason I very much regret the combination of the punitive sentence and the preventive detention. The detention, moreover, is not to be in a home but in a prison, with certain alleviations. Subsection (3) of Clause 11 provides that—

> "Persons undergoing preventive detention shall be subjected to such disciplinary and reformative influences, and shall be employed on such work as may be best fitted to make them able and willing to earn an honest livelihood on discharge."

That, of course, depends on how it is administered. The present prison system tends to deprive any one who serves a long term of imprisonment of all moral backbone or power of earning a livelihood. These people will already have suffered three terms of imprisonment, and if they are to be detained simply for the sake of the protection of the public we have no right to detain them except under conditions which involve no hardship. The noble Earl said it was undesirable that this preventive detention should be made too attractive. I am not so sure about that. I think your Lordships and everybody who has life and property to protect would be very glad to provide a permanent asylum if only all the criminals in the country would be attracted to it and remain there. As the clauses stand I think the punishment goes beyond anything we are entitled to inflict; indeed, the clauses impose a punishment for which there is no justification and in their present form I could not support them.

THE LORD ARCHBISHOP OF CANTERBURY: My Lords, I should like in a few words to join in the general welcome which has been extended to this measure. The study which I have given to this Bill and to the history of the experiments which led to it leads me to regard it as a measure which it is eminently desirable should be placed on the Statute-book at the earliest possible date. The main feature which I welcome in it is the increase of elasticity which will now be possible for the wise and thoughtful men who, in so marked a way, have devoted themselves to the management and personal study of the very difficult questions relating to internal prison and reformatory life. No one can compare the conditions of twenty years ago and to-day without seeing, not merely that things are much better done now, but that the elasticity which is now possible is a power exercised universally, as I believe, for good. There is no part of the field of sociology in which the value of experiments has proved so useful as in prison discipline, and the results of those experiments are often quite different from what one would *a priori* expect. There are certain experiments which should have turned out almost ludicrously impossible but which have been found to work out perfectly well, while others that ought apparently to have worked well have operated in an absolutely contrary sense. With some of the criticisms in regard to this Bill I am inclined at first sight to agree, but I should like to hear the matter discussed in Committee before making quite sure that the conclusion to which one naturally jumps are the right ones. But having given some study to the subject, I believe that this Bill is likely to produce happy and useful results.

EARL BEAUCHAMP: My Lords, it is only necessary for me, in thanking noble Lords who have taken part in this discussion, to say that the various points which have been brought forward shall certainly receive attention before your Lordships are asked to go into Committee on the Bill. I could, however, deal with the Irish point raised by the noble and learned Lord opposite, but I will not venture to detain your Lordships now.

On Question, Bill read 2^a and committed to a Committee of the Whole House on Tuesday next.

AGRICULTURAL COLLEGES.

LORD MONK BRETTON: My Lords, I rise to call attention to the Report of the Departmental Committee appointed to inquire into the subject of agricultural education in England and Wales, and to the Memorandum on the same subject, recently issued by the Board of Education; and to ask His Majesty's Government what action they propose to take in order to carry out the recommendations, and especially the financial recommendations, contained in the former, as well as to secure continuity and co-ordination of agricultural education generally, without the risk of overlapping the work of the two Departments.

I think I can best deal with this matter, by telling the House how my own attention was called to it. I am a member of a local authority which possesses an agricultural college. That college was started at the time when the late Lord Goschen gave what is commonly known as the whisky money to county councils. They had more ample means then than they have now. The Education Act, 1902, has since come into force, involving heavy expenditure all round. So much so, that the county council with which I am connected had to look round in order to economise, and as a result of their probable economies, I think the agricultural college, to which I have referred, is in very considerable danger. It receives a somewhat insignificant grant from the Board of Agriculture. I believe that if that grant is not increased within a short time, the college will be abolished. The local authority has taken no action with regard to it up to now, because it was aware that the Committee presided over by the noble Lord opposite, Lord Reay, was sitting, and because it desired to await their Report, and the action which H.M. Government might take with regard to it. The Report of that Committee has now been issued, and we are only waiting to know what his Majesty's Government intend to do with regard to the Committee's recommendations. There is no doubt at all that the Report of the Committee is in favour of increased grants to these institutions.

I believe this story, which is personal to my own county, is typical of what is taking place all over the country. Since I have been in the House I have received a letter from a noble Lord regretting his inability to be present, but stating that the College of Bangor is in very low circumstances for want of funds. The counties that can do least for agriculture are the agricultural counties, because they are the poorest, and that seems to me a very good reason why we should not depend so largely on the rates for agricultural education. I notice that the Committee say—and we discovered this in our own county—that when there arose the question of the abolition of an agricultural college, the farmers declared that they wished it to be continued. The Committee, in their Report, point out that the attitude of farmers with regard to these agricultural institutions has wholly changed, and that they now regard them as of the greatest importance. I do not think it is necessary in your Lordships' House that I should dwell on the importance of this matter. The noble Earl, the President of the Board of Agriculture, is the great advocate of small holdings. The noble Earl wishes to cover the country with small holdings; but if these people are to be successful small holders it is essential that they should have every means of education which it is possible to place within their reach. I remember a Report which was issued to your Lordships two years ago, and a very eloquent speech delivered by the right Rev. Prelate the Bishop of Ripon, on the subject of physical deterioration. The right rev. Prelate called attention to the national need that there was for fostering agricultural districts; he pointed to the birth rate in agricultural communities like Dorsetshire and in industrial communities like Blackburn, and demonstrated that it was absolutely necessary for the preservation of the manhood of the nation that rural affairs should have the fullest attention from His Majesty's Government.

What is the present position of agricultural education in this country? We depend on two Government Departments—the Board of Agriculture and the Board of Education. What does the Board of Agriculture do in this matter? The Board gives a grant of £11,500 a year to Universities and colleges. That is the sum total of the money expended by the Board of Agriculture. What the Board of Education does it is impossible to say, because that Board issues no returns from which we can ascertain how much is spent on agricultural education; but from the statistics that I have been able to get at, I am inclined to think that the Board of Education does not spend so much in this direction as the Board of Agriculture. In any case, what is spent in this country is ludicrous when compared with what is spent by other countries. Whilst England and Wales spend £11,500, the Kindom of Prussia spends £100,000. In the United States of America £300,000 is spent by Congress and by the various States for agricultural purposes. Denmark is well known as a country which has done much good progressive work in the matter of agriculture, and the Committee report that in Denmark agricultural education is liberally supported by the Government. France, according to the report of our commercial *attache*, gives more than £150,000 a year; and it is well known that in our own Colonies a great deal of money is devoted to this purpose. Sir John Cockburn, in giving evidence before the Committee, stated that South Australia gave a grant of £9,000 to one agricultural college, which is almost as large as the whole of the grants of the Board of Agriculture throughout England and Wales.

The work of these colleges is not confined to England and Wales, for they are doing an Imperial work. There is a drain of teachers from this country to other countries requiring agricultural education. One man left our small agricultural college in Sussex for Hong Kong, and another for East Africa. It is not right, therefore, that the expense of the education of these men should fall on the rates. I remember that when I was an official at the Colonial Office that department was called upon to find an agricultural expert for the Transvaal. Sir Thomas Elliott, of the Board of Agriculture, was consulted, and the result was the appointment of Mr. F. B. Smith, who has, since the beginning of Lord Milner's government, been at the head of the Agricultural Department in the Transvaal. He is, I believe, one of the most successful officials in South Africa, and a gentleman who had done more than any other to cement the settlement between the Dutch and the British in the Transvaal, and he owes his education to the Wye Agricultural College in Kent. Why, therefore, should this college be supported at the expense of the rates of Kent and Surrey?

The Committee report that the grants are inadequate. Every Committee and every Commission that has reported on this subject in the last twenty-five years has said the same thing; and every college and every University in the United Kingdom has, I believe, applied to the Board of Agriculture for increased grants. The Committee state quite clearly in their Report—

> "The funds at present available for agricultural education are wholly inadequate, and considerably increased funds should be provided, the main source of which must be the national exchequer."

I venture to ask His Majesty's Government whether these increased funds will be provided from the national exchequer. Before I leave the Board of Agriculture I should like to call attention to the way in which that Department distributes the grants. This will be found in Appendix IV. on page 21 of the Board of Education Memorandum. It will be seen that what the Committee term Universities receive proportionately very much higher grants than colleges. The list starts with £1,250 to the University College of North Wales, Bangor, and concludes with £100 to the agricultural institute at Ridgmont. I do not propose to inquire into the reason why these grants are issued so disproportionately. I think from the evidence it is quite clear that what the Board of Agriculture has done, having limited money at its disposal, has been to devote all the money it thought necessary to the Universities and then distribute the few remaining hundreds of pounds to the colleges. If the whole of the money is to be put into the Universities you will end by having a large number of teachers, but no colleges for them to go to.

The grants of the Board of Agriculture begin at the top—namely, with the Universities, and what remains goes to the colleges. The Board of Education, however, does the opposite. The Board of Education begins at the bottom and through its technical regulations gives grants which it declares are to be used for agricultural purposes. But those grants are concealed grants, for in their reports the Board of Education do not differentiate between what is given for agriculture and what is given for other purposes. I wish the noble Viscount the Lord President of the Council were in the House, but in his absence might I ask either the noble Earl the President of the Board of Agriculture or the noble Earl the Leader of the House whether the Government would be prepared to lay upon the Table a Return showing the amount of money expended by the Board of Education on agricultural education in the counties? In Appendix III. of the Board of Education Memorandum, which gives information as to the Parliamentary grants available in respect of agricultural education, I find a total of £29,180, presumably largely for agricultural purposes. Included in that sum is an item of £1,610 for the county of Cumberland. Now, I happen to have heard that of that sum only £70 is spent on agricultural education in that county. Therefore it appears to me that this table is not worth the paper it is printed on. If the county of Cumberland does not get a twentieth, the inference is that of this £29,000 under £1,500 is given for agricultural purposes. As I have said, the Board of Agriculture begins its work at the top. The Board of Education, on the other hand, works up from the bottom, and refuses to give grants to colleges which are under the Board of Agriculture. Therefore in your chain of agricultural education, consisting of the University, the college, the evening school and other outside work, the college is your weakest link. It is hardly touched by the Board of Agriculture and it is put in Coventry by the Board of Education. The result is that the college is in danger of almost immediate extinction. I ask His Majesty's Government to tell us what they propose to do with regard to these colleges. I certainly hope they will put an increased grant on next year's Estimates. If they do not, I am inclined to think they will never be worried by these colleges again, because there will be no colleges in the following year to require grants.

Then there is another point on which I should like to ask His Majesty's Government for information. It relates to what I call the outside work of these colleges and Universities, not the work done in the building for pupils who are devoting their whole time to these studies, but lectures and other work carried on amongst farmers in evening classes. According to the correspondence between Sir Thomas Elliott and Mr. Ogilvie, published in the Board of Education Memorandum, it would appear that the Board of Education are going to give grants in respect of that outside work. That, however, is contrary to the recommendation of the Committee presided over by Lord Reay. That Committee, in paragraph 28 of the summary of their principal conclusions and recommendations, say—

> "The Committee are of opinion that agricultural instruction, when provided by Universities, University colleges, agricultural colleges, farm institute and winter schools, or by means of special classes or courses of lectures in agriculture and kindred subjects (*e.g.*, dairying, horticulture), should be under the direction of the Board of Agriculture."

I venture to ask whether that recommendation is likely to be carried out. If it is, it seems to me that the Board of Agriculture will require some funds with which to assist those classes. We have waited for the Report of this Committee, and now we are awaiting the decision of His Majesty's Government with regard to it. I hope that the Government will be able to define the spheres of activity of the Board of Education and the Board of Agriculture in order that any friction between them may not be allowed to stand in the way of the very important work which is being carried out by the local authorities in the country. I hope His Majesty's Government will be able to give some information as to the way in which they propose to co-ordinate the whole system—University, college, and technical classes—and to finance it in order to put this country, which has lagged so long behind foreign countries and our own Colonies in this matter, in the position which it ought to occupy.

*LORD REAY: My Lords, I thank my noble friend opposite for having called attention, in a very interesting speech, to the Report of the Committee of which I had the honour to be chairman. I rise to press on my noble friend the President of the Board of Agriculture to give effect, as speedily as he can, to the recommendations of the Committee, more especially with regard to what I would call the grading of agricultural schools. By this grading the University colleges are placed at the top; then follow the agricultural colleges and schools such as winter schools, which are of the greatest importance. Some of the members of the staffs of those colleges would be available for work in the neighbouring districts, and there would be in every county an organiser and a staff of experts to give advice to farmers and carry out experiments of various kinds. Agricultural education would be encouraged if most counties followed the example of the county of Wiltshire, which has through my noble friend the Chancellor of the Duchy secured such an efficient administration. There should be either a special committee for the organisation and supervision of agricultural instruction, or a sub-committee reporting direct to the education committee of the county council in each county, the point being that on such a committee farmers would serve and exercise influence which I consider of the utmost importance in the development especially of the lower grades of agricultural education.

The next point to which I would call the attention of my noble friend the President of the Board of Agriculture is the very great importance of settling clearly the boundary line between the Board of Education and the Board of Agriculture. Elementary and secondary education the Committee considered outside the scope of their inquiry as coming under the control of the Board of Education. If the higher agricultural colleges are placed under the Board of Agriculture, and are made the directing agency for the lower grades of technical agricultural instruction, it is important that the Department which deals with the first category should have control of the whole system. That is attended in Scotland with the best results. There the whole of the lower educational work is organised by the three agricultural colleges on systematic lines which prevent overlapping. I think it will also be found a very sound plan from a financial point of view. I agree with the noble Lord opposite that the amount spent on agricultural education in this country is ludicrously small as compared with the expenditure in foreign countries, and I think the Board of Agriculture have a strong case in approaching the Treasury with a claim for funds for the support of those institutions which are now in a most unsatisfactory financial condition.

In the first place, I think my noble friend the President of the Board of Agriculture should insist on obtaining money in order that the higher colleges should be placed in a proper position, especially with regard to securing a highly qualified staff. That is important, because a greater supply of well-qualified teachers is needed, and they must be trained at the Universities or University colleges. As the Committee have pointed out, the facilities for agricultural instruction of a lower grade are "unorganised, unsystematic, and wholly inadequate." Farmers all over the country are no longer hostile to agricultural education as they were perhaps, twenty or thirty years ago, but are fully alive to its importance. The Board of Agriculture, being in touch with farmers, is better able than the Board of Education to realise what the farmers require. That is another reason why I desire to see this technical agricultural education under the supervision of the Board of Agriculture. The Committee state that in the next ten years from fifty to sixty winter schools should be provided in England and Wales. That is a moderate estimate. Experience in Denmark has shown that winter schools exercise a most beneficial influence on the development of agriculture in the right direction.

I wish to insist on the urgent need of more State aid being given to veterinary education. We had a good deal of evidence on that subject, and it is quite clear that what has been done hitherto is inadequate and should be largely increased. The provision of scholarships for post-graduate research and travelling fellowships for teachers is also a matter which should not be lost sight of. I am very glad to see that my noble friend Lord Belper is in his place, as he took a prominent part in our discussions and in the preparation of this Report; but I greatly regret that Lord Barnard, to whom the appointment of this Committee was largely due and who has such a thorough knowledge of the subject, is not able to be present. I need hardly point out that all the recommendations of the Committee were unanimous. At one time it was anticipated that there would be a good deal of difference of opinion; but, finally, after a discussion of a very interesting character, we succeeded in coming to unanimous conclusions. I therefore think that we have been able to strengthen the hands of my noble friend the President of the Board of Agriculture in approaching the Treasury for more grants in aid of this great national industry; and since we have reported, chambers of agriculture and farmers' clubs all over the country have expressed their assent to the Committee's recommendations. We have adopted a definite and constructive policy, and have outlined a comprehensive and thoroughly national scheme, which must be looked at as an organic entity and judged on its merits as a whole.

LORD ZOUCHE OF HARYNGWORTH: My Lords, I think all your Lordships will thoroughly sympathise with the Question asked by the noble Lord and will agree as to the great importance of the subject. It seems to me, if I may venture to say so with great deference, that what is wanted is a general scheme of agricultural education throughout the country, connected with, and as far as possible worked by, the county councils through their education committees or committees more especially devoted to agricultural subjects. In that way you can make use of existing machinery, which in my opinion is an important point. In too many instances what small funds have been available have been injudiciously spent, and instruction has been given on the wrong scale. In West Sussex, to which county I belong, hardly anything has been done in the way of agricultural education on anything like a proper scale. The farmers cannot be said to look with any hostile eye on this. What they complain of is that there is very little to be got out of it. They do not think a system of lectures very practical. It seems to me that if the education is to be effective, it must be made interesting and practical. It may be questioned whether agriculture admits of being taught by lectures and whether it is not entirely a practical subject. I suppose the answer is that there are two sides to agriculture as well as other things, and that the scientific side can, to a great extent, be helped by lectures delivered by experienced men. But there are also the various agricultural operations which can only be taught by practical instruction in the field. This subject has attracted increased attention not only in this country, but in others. I notice, in the Report of the Committee, that allusion is made to the very practical kind of agricultural schools in France. There are some thirty-eight of these, and they consist of farms varying in size from 100 to 350 acres. These farms not only combine theoretical with practical instruction, but are worked at a profit; and it seems to me that if we could take a leaf out of the foreigner's book in that way, and combine instruction with practical working, we should be going a great way to solve the difficulty. I trust that His Majesty's Government will approach this matter in a helpful way, and that this important question of agricultural education will no longer run the risk of perishing from lack of funds

*LORD CLIFFORD OF CHUDLEIGH: My Lords, I should like to say a few words on what I might call the diverse recommendations of the Departmental Committee and the Memorandum of the

Board of Education as to the line which divides the sphere of influence, and the sphere of action of the Board of Agriculture and the Board of Education. Personally, I think the recommendation of the Departmental Committee might have gone even a little further than it did. I think, that the moment you come to what may be called secondary education in agriculture, that education should be entirely under the supervision and direction of the Board of Agriculture. The noble Lord who presided over the Departmental Committee has told us that he was careful to guard against stepping into the sphere of the Board of Education wherever there was what one might call a mixed realm, and where in the same sphere of action both agricultural and general education were being treated. But I think that if the Board of Agriculture had under its control the Universities, University colleges, farm institutes, agricultural colleges, and winter schools, it would very soon be found that what might be called the agricultural side in the secondary schools would rapidly decay. The work would be transferred entirely to the institutions which the noble Lord recommends should be placed under the Board of Agriculture, and I think it would be found after a time that the agricultural sphere of influence in the Board of Education would be limited to such preparation for agricultural teaching as it would be advisable to have in the elementary schools. In an elementary school in a rural district it is very essential that the instruction should be, to a certain extent, founded upon agricultural circumstances. By this I mean that if you are going to give something in the nature of a preparatory scientific training to elementary school children it must, of necessity, be applied to the surroundings of the child. You can bring up a scientific student, if he is only to be a theoretically scientific student, under any circumstances at all, providing that your school surroundings are sufficient; but if you are going to give him what I might call a practical, scientific grounding, you must do that where the scientific methods which you teach are linked with the surroundings of his every-day life; and you cannot give this scientifically practical agricultural training in a school situated in a town. It must be done in a rural school, and for this purpose I think there should be inter-communication between the two Departments, so that the teachers who are placed in these rural schools might have had previously some kind of agricultural training which would give them a theoretical knowledge of the subject and enable them to direct the minds of the elementary scholar into a scientific way of looking at agricultural life. The objection is made that of the students in an elementary school in a rural district only a small proportion will take to agricultural life, and that therefore it is a mistake to give an agricultural aspect to the teaching, which may, after all, be only of avail to a small percentage of the students. But, as I have said, the scientific teaching, whatever it is, to be practical must be based on the everyday surroundings and everyday life of the child. I would appeal for a mutual arrangement which would give to the teachers concerned some scientific knowledge of the science of agriculture. Things have altered since the counties first had money given them for technical education. The agricultural instructors whom we have trained during the intervening period now have something to teach the farmers, the farmers recognise that it is so, and the Boord of Agriculture has a very promising work to do if it will take it up in a thorough and systematic manner.

THE EARL OF HARROWBY: My Lords, I entirely agree with my noble friend, Lord Zouche. I think a great deal of money is wasted by county councils in lectures. My experience of the colleges about the country is that they take in gentlemen's sons, agents' sons, and the sons of large farmers, but there is no school to which the sons of small farmers can go. The country is over-run with unskilled labour, yet it is extremely difficult to get men who can do drain or hedge work. I would like to ask the noble Earl, the President of the Board of Agriculture, who has so nobly taken up the question of small holdings, whether he can do something in the direction of sending to schools some of those boys, who exist in every village, who are intelligent and prepared to follow in the footsteps of their fathers, but fail through want of opportunity.

EARL CARRINGTON: My Lords, I have to thank the noble Lord opposite for calling attention to this matter, and for a most interesting and instructive debate. The noble Lord asked for information as to the amount of money spent by the Board of Education on agricultural instruction. I am afraid that would be a somewhat difficult question to answer, but I will submit it to my noble friend the Lord President of the Council and see if any satisfactory reply can be given. I should like to take the first opportunity of giving an assurance that there is no question of disagreement or friction between the two Departments, but there are intricate questions which must be threshed out before any system can be devised for the complete co-ordination of agricultural education. The heavy business of the autumn session has made it absolutely impossible for any definite conclusion to be come to between the two Departments on the recommendations of Lord Reay's Committee, whom I thank most sincerely for the way in which they have dealt with this important subject. I have not had an opportunity, owing to the pressure of work, to go in detail into the consideration of all the proposals, but I hope I shall not be thought very optimistic if I say that I think it will be extremely easy to come to some agreement which will be satisfactory to all concerned. We shall have to go to the Treasury in regard to the possibility of an increased grant. The necessity of that has been earnestly pressed, and I shall be more pleased than anyone if we can obtain more money for the purpose of forwarding agricultural education. I hope it will not be long before the two Departments come to a satisfactory conclusion upon the subject.

THE EARL OF ONSLOW: My Lords, I was very glad to hear the noble Earl say there was no disagreement between himself and his colleague at the head of the Board of Education. I never for a moment supposed that there was. When I had the honour of occupying the position the noble Earl occupies to-day, I found the then Minister for Education, the noble Marquess, Lord Londonderry, willing to do everything he could for the advancement of agricultural education. The noble Marquess was good enough to appoint Mr. Dymond, whose work in promoting agricultural education generally in primary schools is little short of marvellous. There is no friction between the heads of the Departments. But it is clear that the Board of Education think that they alone ought to have the distribution of the grants now given to all except the Universities and the University colleges. I cannot help thinking that there is a serious amount of disagreement on this matter between the Board of Agriculture and the Board of Education, and I hope the noble Earl will devote special attention to trying to come to some understanding between the two Departments. I cannot believe that is impossible. I cannot believe it is even difficult. Many suggestions have been made. It has been suggested that there should be a permanent consultative joint committee. It has been suggested that there should be a committee from both Boards, who should have the administration of these grants. Then there is an advisory committee of the Treasury, which makes reports on behalf of the Board of Education to the Treasury in respect of the grants made to the various forms of higher education. Surely one or other of these plans might be adopted. But, if neither of them commends itself to the noble Earl or his advisers, there is yet another suggestion, and I am not sure that that is not the suggestion which may, perhaps, be productive of the best effect. After all, this matter of agricultural education is mainly one for county councils and local authorities, and I would venture to ask Lord Belper, as chairman of the County Councils Association, whether it would not be possible to get together a committee of those who are experts in the administration of agricultural education in their several areas, who might draw up some clear line of demarcation between the moneys which may properly pass through the hands of the Board of Agriculture and those which may properly pass through the hands of the Board of Education. I really do not care whether you appoint a committee, or what committee you appoint. What we want is to get more money in one way or another for the purposes of agricultural education, and our trouble is that while the Board of Agriculture, we believe, is better able to spend the money in the way which agriculturists wish, it is the Board of Education which has the money at its command. I cannot help thinking that when any impartial tribunal comes to consider this question, they will be impressed by the fact that the Department whose duty it is to foster the industry of agriculture, should also be charged with the duty of fostering higher education in matters of agriculture. The relations between the Board and the farmers are of the most friendly character. I speak with the greatest possible respect of the Board of Education, and of the inspectors which that department employs, but somehow or other I cannot altogether believe that those distinguished classmen who come from Oxford and Cambridge can be quite as sympathic with the agriculturists of this country, as men who have been trained in practical agriculture, and have not neglected the advantages of chemical research and of practical agricultural industry. In the Blue-book to which attention has been called, there is a reference by a representative of the Board of Agriculture to a committee which I think owes its inception to the noble Lord, the Chancellor of the Duchy. It is a committee of the Wiltshire County Council. It is charged, not only with agricultural education, but with all the duties it properly can perform, that affect farmers and agriculture in the county. The farmers look upon it as their own committee, and I venture to think that a committee such as that, can do more good almost than any other department of a county council. This is what the representative of the Board of Education said of that committee—

> "A local authority has too much to do, and an agricultural committee charged with the duty of looking after all agricultural interests and education would be much better for that part of the work; but if these men in any area are segregated the work of general education is apt to suffer very seriously. To cut out the agricultural interests in any way from the region of general and secondary education in rural communities would, I consider, be a matter of gravest misfortune."

That, I believe the noble Lord will say, is not the experience of the county of Wiltshire; and I venture to hope that it is in that direction we may look for some improvement in the organization of agricultural education. What the Board of Agriculture has done in the past is, I think, worthy of some praise and some credit. It has shown that it can organise these institutions. It is said by the Committee that, after all, we are not so very much behind foreign countries in our institutions for agricultural education, and that the addition of a few of these institutions would furnish the country with sufficient collegiate centres. I cannot help thinking that a Department which has been successful to that extent is worthy of being trusted to go further. At this moment there is a great deal more interest being shown in the country generally in all that affects agriculture, and I trust that my noble friend the President of the Board of Agriculture will strike while the iron is hot. I earnestly hope that he will follow out the recommendations of the committee, and that he will do all that he can to persuade the Chancellor of the Exchequer to increase the amount — the miserable amount—placed at his disposal for the encouragement of agricultural education.

The Earl of Onslow.

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE): My Lords, I do not rise to continue the general discussion, nor to attempt to add to what has been said on behalf of the Government by my noble friend the President of the Board of Agriculture. I intervene merely to explain that the Agricultural Committee of the Wiltshire County Council has not the full powers which Paragraph 115 in the Report of Lord Reay's Committee might lead anyone who read it to think. I recommended in my evidence that those powers should be handed over to one committee. The actual fact is that the committee—it is a separate committee, not a sub-committee—not only does the work in question, but also deals with the Fertilizers and Feeding Stuffs Act. That is undoubtedly an important addition to their work. I gave it as my opinion, in my evidence, that it would be desirable to carry that further, and to hand over to the Agricultural Committee also the work of the Diseases of Animals Act, and Small Holdings and Allotments. I can certainly repeat what I said to the Departmental Committee, that the experiment of having such a committee has, so far as it has gone, been very successful, and if we could get further statutory powers, those additional subjects might with advantage be handed over to the committee. It is of very great advantage, from the point of view of administration, especially of education, that there should be a committee which the farmers of the county look to as their committee.

LORD BELPER: My Lords, I should like to support almost all that the noble Lord the Chairman of the Departmental Committee has said. I must also give credit to the noble Lord as being the most careful and painstaking chairman of a Committee it would be possible to find. The noble Lord gave every opportuity for discussion, and the unanimous opinions we expressed in our recommendations cannot be said to have been arrived at without the fullest possible deliberation. I think for the first time it has become apparent that the agricultural interests in the country are satisfied with the good work accomplished by the colleges. I have had some experience of this. We issued invitations to a large number of farmers to inspect our college and see for themselves what was being done. The result has been that farmers who were entirely opposed to the work before have expressed unqualified approval of the practical instruction given. That is a point which cannot be too strongly emphasised when we go to the Chancellor of the Exchequer and ask for more funds. If the agricultural interest are unanimous in pressing the Chancellor of the Exchequer to grant sufficient funds for the improvement of agricultural education, in order to put our farmers on an equality with those of other countries, I hardly think that any Government can refuse to accede to that request. The County Councils Association have passed unanimously a resolution approving of the main recommendations of the Departmental Committee. With regard to the appeal made to me by Lord Onslow, I can assure him that the County Councils Association will always be ready to do anything in their power to assist in a matter of this kind, especially if the co-operation does not involve any further expenditure out of the local rates. It is no idle observation in the Report of the Committee that it is impossible for county councils to find further sums themselves for this purpose. We are already overburdened with obligations placed upon us by Parliament, and it is obvious that the National Exchequer is the only source from which increased funds can be obtained for an improvement of agricultural education. I hope the sympathetic expressions of the noble Earl the President of the Board of Agriculture will not prove idle words, but that before long funds will be forthcoming, not only to make the existing colleges more useful than they can be with their present limited means, but also to establish a really national system of agricultural education.

House adjourned at five minutes before Seven o'clock, till To-morrow, Six o'clock.

HOUSE OF COMMONS.

Thursday, 10th December, 1908.

The House met at a quarter before Three of the Clock.

THE CHAIRMAN OF WAYS AND MEANS.

The Clerk at the Table informed the House of the unavoidable absence from this day's sitting of the Chairman of Ways and Means.

PETITIONS.

COAL MINES (EIGHT HOURS) BILL.

Petition from Barrow Colliery, in favour; to lie upon the Table.

ENFRANCHISEMENT OF WOMEN.

Petition from Bideford, for legislation; to lie upon the Table.

RETURNS, REPORTS, ETC.

EVICTED TENANTS (IRELAND) ACT, 1907.

Copy presented, of Return giving particulars of cases in which persons have been reinstated with the assistance of the Estates Commissioners during the quarter ended 30th September, 1908 [by Command]; to lie upon the Table.

TREATY SERIES (No. 32, 1908).

Copy presented, of Procès-Verbal between the United Kingdom and Bulgaria, respecting Customs Duties supplementary to the Commercial Convention of 9th December, 1905. Signed at Sofia, 13th November, 1908 [by Command]; to lie upon the Table.

ADJOURNMENT MOTIONS UNDER STANDING ORDER No. 10.

Return ordered, "of Motions for Adjournment under Standing Order No. 10, showing the date of such Motion, the name of the Member proposing the definite matter of urgent public importance, and the result of any Division taken thereon during Session 1908 (in continuation of Parliamentary Paper, No. 322, of Session 1907)."—(*Mr. Caldwell.*)

CLOSURE OF DEBATE (STANDING ORDER No. 26).

Return ordered, "respecting application of Standing Order No. 26 (Closure of Debate) during Session 1908: (1) in the House and in Committee of the whole House under the following heads—

1.	2.	3.	4.	5.	6.
Date when Closure moved, and by whom.	Question before the House or Committee when moved.	Whether in House or Committee.	Whether assent given to Motion or withheld by Speaker or Chairman.	Assent withheld because, in the opinion of the Chair, a decision would shortly be arrived at without that Motion.	Result of Motion, and, if a Division, Numbers for and against.

(in continuation of Parliamentary Paper No. 323, of Session 1907); and (2) in the Standing Committees under the following heads—

1.	2.	3.	4.	5.
Date when Closure moved, and by whom.	Question before Committee when moved.	Whether assent given to Motion or withheld by Chairman.	Assent withheld because, in the opinion of the Chair, a decision would shortly be arrived at without that Motion.	Result of Motion, and, if a Division, Numbers for and against.

(*Mr. Caldwell*).

PUBLIC BILLS.

Return ordered, "of the number of Public Bills, distinguishing Government from other Bills, introduced into this House, or brought from the House of Lords during Session 1908; showing the number which received the Royal Assent; the number which were passed by this House, but not by the House of Lords; the number passed by the House of Lords, but not by this House; and distinguishing the stages at which such Bills as did not receive the Royal Assent were dropped or postponed and rejected in either House of Parliament (in continuation of Parliamentary Paper No. 0·150, of Session 1907)."—(*Mr. Caldwell.*)

PUBLIC PETITIONS.

Return ordered, "of the number of Public Petitions presented and printed in Session 1908; with the total number of signatures in that year (in continuation of Parliamentary Paper, No. 0.152, of Session 1907)."—(*Mr. Caldwell.*)

SELECT COMMITTEES.

Return ordered, "of the number of Select Committees appointed in Session 1908 (including the Standing Committees of Law and Trade) and the Court of

Referees; the subjects of inquiry; the names of the Members appointed to serve on each, and of the Chairman of each; the number of days each Committee met, and the number of days each Member attended; the total expense of the attendance of witnesses at each Select Committee, and the name of the Member who moved for such Select Committee; also the total number of Members who served on Select Committees (in continuation of Parliamentary Paper, No. 0.149, of Session 1907)."—(*Mr. Caldwell.*)

STANDING COMMITTEES.

Return ordered, "" for the Session of 1908, of (1) the total number and the names of all Members (including and distinguishing Chairmen) who have been appointed to serve on one or more of the four Standing Committees appointed under Standing Order No. 47, showing with regard to each of such Members, the number of sittings at which he was present and the number of divisions in which he took part; and (2) the number of Bills considered by all and by each of the Standing Committees, the number of days on which each Committee sat, and the names of all Bills considered by a Standing Committee, distinguishing where a Bill was a Government Bill or was brought from the House of Lords, and showing, in the case of each Bill, the particular Standing Committee by whom it was considered, the number of days on which it was considered by the Committee, and the number of Members present on each of those days (in continuation of Parliamentary Paper, No. 0.148 of Session 1907)."—(*Mr. Caldwell.*)

SITTINGS OF THE HOUSE.

Return ordered, "of the number of days on which the House sat in Session 1908, stating for each day the date of the month and day of the week, the hour of the meeting, and the hour of adjournment; and the total number of hours occupied in the Sittings of the House, and the average time, and showing the number of hours on which the House sat each day, and the number of hours after eleven p.m.:; and the number of entries in each day's Votes and Proceedings (in continuation of Parliamentary Paper, No. 0.151, of Session 1907)."—(*Mr. Caldwell.*)

BUSINESS OF THE HOUSE (DAYS OCCUPIED BY GOVERNMENT AND BY PRIVATE MEMBERS).

Return ordered, "showing with reference to Session 1908: (1) the number of Sittings at which Government Business had precedence under the Standing Orders during the entire Sitting; (2) the number of Sittings on Tuesdays and Wednesdays at which precedence was given to Government Business up till 8.15 p.m., and to Private Members at 8.15 p.m., and the number of Sittings on Fridays at which Private Members had precedence under the Standing Orders; (3) the number of Sittings at which Goverment Business was given precedence under a special order of the House during the entire Sitting; (4) the number of Saturday Sittings; (5) the total number of Sittings at which Government Business had precedence; (6) the total number of days on which the House sat; and (7) the number of days on which Business of Supply was considered (in continuation of Parliamentary Paper, No. 324, of Session 1907)."—(*Mr. Caldwell.*)

PRIVATE BILLS AND PRIVATE BUSINESS.

Return ordered, "of the number of Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders introduced into the House of Commons and brought from the House of Lords, and of Acts passed in Session 1908, classed according to the following subjects:—Railways; Tramways; Tramroads; Subways; Canals and Navigations; Roads and Bridges; Water; Waterworks; Gas; Gas and Water; Lighting and Improvement; Police and Sanitary Regulations; Corporations, etc. (not relating to Police and Sanitary Regulations or to Lighting and Improvement Schemes); Ports, Piers, Harbours, and Docks; Churches, Chapels, and Burying Grounds; Markets and Fairs; Gaols and other County Buildings; Inclosure and Drainage; Estate; Patent; Divorce; Naturalisation; Hospitals, Name, Legitimisation, and Miscellaneous."

"Of all the Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders which in Session 1908 have been reported on by Committees on Opposed Private Bills or by Committees nominated partly by the House and partly by the Committee of Selection, together with the names of the selected Members who served on each Committee; the first and also the last day of the sitting of each Committee; the number of days on which each Committee sat; the number of days on which each selected Member has served; the number of days occupied by each Bill in Committee; the Bills the Preambles of which were reported to have been proved; the Bills the Preambles of which were reported to have been not proved; and, in the case of Bills for confirming Provisional Orders, whether the Provisional Orders ought or ought not to be confirmed."

"Of all Private Bills and Bills for confirming Provisional Orders which, in Session 1908, have been referred by the Committee of Selection, or by the General Committee on Railway and Canal Bills, to the Chairman of the Committee of Ways and Means, together with the names of the Members who served on each Committee; the number of days on which each Committee sat; and the number of days on which each Member attended."

"And, of the number of Private Bills, Hybrid Bills, and Bills for confirming Provisional Orders withdrawn or not proceeded with by the parties, those Bills being specified which have been referred to Committees and dropped during the sittings of the Committee (in continuation of Parliamentary Paper, No. 0.147, of Session 1907)." — (*Mr. Caldwell.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES

Extension of Grindleton Churchyard.

MR. CLOUGH (Yorkshire, W.R., Skipton): To ask the hon. Member for the Crewe Division, as Ecclesiastical Commissioner, whether he is aware that about the year 1859 those locally interested purchased, by means of subscription, certain land to be added to the churchyard at Grindleton, near Clitheroe; whether he can say of what amount of acreage it consisted and what became of it, what proportion was appropriated for the living in June, 1860, and what proportion was added to the churchyard in May, 1864; whether it is now proposed to add another portion of this same plot of land to the churchyard; and whether it is proposed to effect this by means of a sale or gift.

(*Answered by Mr. Tomkinson.*) As the hon. Member for the Skipton Division has been privately informed, the Ecclesiastical Commissioners in the years 1858 and 1859 were aware that steps were being taken at Grindleton, near Clitheroe, for the purchase of certain land, part of which was intended to be added to the glebe belonging to the living, and the other part was to be added to the churchyard. The Commissioners, who were not concerned in the purchase of the property, were subsequently asked to accept a conveyance of the portion intended to be secured as an addition to the glebe; and this portion, stated to comprise 2a. 0r. 5p., or thereabouts, was conveyed to them by deed, dated 1st June, 1860, and is now vested in the incumbent for the time being. In the year 1863 the Commissioners were asked to accept a conveyance of the portion of land to be used for the enlargement of the churchyard, and this piece, stated to comprise 30 perches or thereabouts, was conveyed to them by deed dated 28th April, 1864. The Commissioners have no information as to any arrangements which have been or are intended to be made for adding to the churchyard a further portion of the land in question, but it would be competent to the incumbent of Grindleton either to sell or to give a portion of his glebe for that purpose.

Irish Land Purchase.

MR. FFRENCH (Wexford, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, according to the Land Commission Returns, by the operation of the Land Acts in the sub-Commission and Land Commission Courts, £7,000,000 of rental in Ireland were reduced since the year 1881 to about £5,000,000; will he state how many holdings does this £5,000,000 represent; have agreements been lodged or sales carried out under the Land Purchase Acts for a rental of about £3,000,000 in Ireland,

and, if not, how much; how many holdings do the completed purchases of the lodged agreements represent; what is about the rental of the agricultural part of Ireland still to be bought; has he any official information showing that two-thirds of the farms of Ireland are held by tenants who do not pay more than £12 a year rent; and at how much do the Government estimate the amount of the land still to be bought out in order to complete the purchase under the Land Purchase Acts of the agricultural portion of the country.

(*Answered by Mr. Birrell.*) According to the last Annual Report of the Land Commission there had been, up to 31st March last, 369,483 cases in which fair rents had been fixed for a first statutory term. The total former rental dealt with was £7,334,438, and the judicial rental was £5,815,931. In 131,637 of these cases a fair rent was subsequently fixed for a second statutory term, a first-term rental of £2,635,354 being reduced to £1,902,501. Thus the former rental of £7,334,438 is now represented by £5,353,078. Lands of a rental of approximately £5,000,000 had been sold or were pending for sale under the Land Purchase Acts on 31st October last, on which date advances had been made in respect of 143,641 holdings, and applications for advances were pending in respect of 173,343 holdings. I am not in a position to say what may be the rental of the agricultural part of Ireland still to be sold under the Land Purchase Acts, nor can I say whether two-thirds of the farms in Ireland are held by tenants who do not pay more than £12 a year rent, but the general Census Report for 1901 shows that 68 per cent. of the total number of agricultural holdings in Ireland do not exceed £15 in rateable value, and that 56 per cent. do not exceed £10 in rateable value. As regards the concluding portion of the Question I would refer the hon. Member to the Irish Land Purchase Acts Return recently laid upon the Table [Cd. 4412].

Temporary Clerks in Irish Land Commission.

MR. E. BARRY (Cork County, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that some time early this year the Land Commissioners forwarded to His Majesty's Treasury certain recommendations on behalf of the temporary clerks employed in the offices of the Irish Land Commission, and that the Treasury refused to recognise the claims put forward on their behalf; if he is aware that these clerks were doing important work which was recognised by the heads of their Departments; that they had no prospect of reaching a higher salary than £2 per week, considering that such clerks had services ranging from eight to eighteen years, while in other Irish Government Departments, such as the Board of Agriculture and Local Government Board, the temporary clerks were provided for; and, considering the length of service of such clerks in the Land Commission, the nature of their work and prospects, will he inquire into their grievances, with a view to improving their position.

(*Answered by Mr. Birrell.*) Any correspondence which has taken place must be regarded as confidential. It would not be in the interests of the public service that I should depart from the existing practice by disclosing its contents. I am not at present prepared to institute the inquiry suggested in the concluding portion of the Question.

Alleged Tampering with Jury at Limerick Assizes.

MR. M'HUGH (Sligo, N.): To ask Mr. Attorney-General for Ireland whether, in connection with the trial of the Geevagh, County Sligo, traversers at the Connaught Winter Assizes in Limerick, he has been informed by the Crown Solicitor for County Sligo that persons had come from Sligo to Limerick for the purpose of influencing the jurors; will he inform the House as to the names of the persons against whom this charge is made; and will he lay upon the Table of the House a copy of the charge preferred against those persons by the Crown Solicitor.

(*Answered by Mr. Cherry.*) The communications made to me by the Crown Solicitor are strictly confidential. I cannot mention the names of any of the persons believed to be concerned in this matter, and I cannot undertake to lay upon the Table any documents in connection with it.

Unemployment Chart.

EARL OF RONALDSHAY (Middlesex, Hornsey): To ask the President of the Board of Trade if he will take steps to have the unemployment chart, which is published in the Board of Trade *Labour Gazette*, based upon returns affecting all members of trade unions in future instead of upon returns affecting only 591,000 members; and can he give the percentage of the whole of the members of trade unions at present unemployed.

(*Answered by Mr. Churchill.*) It is not possible to comply with the suggestions of the noble Lord, as many trade unions are unable to state the numbers of their members out of work, and any figures they might supply would of necessity be merely estimates. The Board of Trade have convinced themselves, after the most careful examination of the question, that the only solid and trustworthy basis for statistics of this kind for the purpose of serving as a barometer of the labour market is the record kept by trade unions which pay unemployed benefit. Any gain by widening the basis so as to include unions which do not keep this record would be much more than counter-balanced by the greatly increased margin of error in the returns.

Deserters' Wages Paid to the Board of Trade.

MR. HAVELOCK WILSON (Middlesborough): To ask the President of the Board of Trade whether he will state the total amount of deserters' wages paid to the Board of Trade under Section 44 of the Merchant Shipping Act, 1906, from 1st July, 1907, to 30th June, 1908.

(*Answered by Mr. Churchill.*) The provisions dealing with deserters' wages is contained in Section 28 of the Act of 1906 and not in Section 44 as stated by my hon. friend. The sum received by the Board of Trade on account of such wages during the period mentioned was £6,820 5s. 9d.

Seamen failing to join their Ships.

MR. HAVELOCK WILSON: To ask the President of the Board of Trade how many seamen are reported to have failed to join British foreign-going ships in the United Kingdom from 1st July to 30th September last, distinguishing the number for each port and their ratings; and how many continuous discharge books were suspended during that period.

(*Answered by Mr. Churchill.*) It will take some little time to obtain the information asked for in the Question, but it shall be obtained and communicated to my hon. friend with as little delay as possible.

Income of the London Dock Companies.

MR. LOUGH (Islington, W.): To ask the President of the Board of Trade whether he can place in the hands of Members before the Report stage of the Port of London Bill is resumed the figures of this year's income of the London docks, which led the Board of Trade to think there would be a much bigger surplus of revenue over the interest on the purchase money than had been put forward up to the present.

(*Answered by Mr. Churchill.*) In view of what took place last night and this morning, my right hon. friend will recognise that he is asking of me more than I am able to perform.

American Gooseberry Mildew.

MR. COURTHOPE (Sussex, Rye): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, in view of the fact that American gooseberry mildew forms spores on currant leaves, which fall in autumn and infect all bushes against which they may be blown, what grounds the Board have for stating that this disease does not spread in winter; and whether the Board will reconsider their decision not to schedule the counties of Sussex and Bedfordshire.

(*Answered by Sir Edward Strachey.*) The Board are advised that the autumn spores of American gooseberry mildew are not infectious, and that it is unnecessary, therefore, to adopt the suggestion made by the hon. Member. All possible steps will be taken to prevent the spread of the disease when the time for further action arrives.

Precautions against spread of Contagious Mammitis.

Mr. COURTHOPE: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what steps have been taken by the Board of Agriculture to prevent the spread of contagious mammitis.

(*Answered by Sir Edward Strachey.*) The Board are informed that there is no evidence to show that the disease to which the hon. Member refers is epizootic in character, or that it is prevalent to any considerable extent. This being the case, the Board do not propose to schedule it for the purposes of the Diseases of Animals Acts.

Applications for Small Holdings.

Mr. MORRELL (Oxfordshire, Henley): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether any case has yet occurred in which the Commissioners have made a Report to the Board with regard to the demand for small holdings as provided in Section 2 (3) of the Small Holdings Act.

(*Answered by Sir Edward Strachey.*) The reply is in the negative.

Mr. MORRELL: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been called to the fact that, out of the 595 applicants who have already been provided for under the Small Holdings Act, 145 have been provided for by one county council, that two other councils have provided for 154 applicants, and 10 other councils for 234, that 15 councils have only succeeded in providing between them for 62 applicants, and 31 councils have not as yet provided for any at all; and whether, in view of the discrepancy shown by these figures and of the disappointment that has been caused in many rural districts by the present working of the Act, the Board will now put into operation their powers of inquiry and report as provided in Sections 2 and 3 of the Act, so that they may exercise a more effective supervision than they have yet been able to do.

(*Answered by Sir Edward Strachey.*) The Board are aware of the facts to which my hon. friend refers, but they are of opinion that the general exercise of their powers, as suggested by my hon. friend, would in effect retard rather than advance the provision of small holdings for those who are entitled to them.

Death of Peter M'Duffy in Police Cell at Pontlottyn.

Sir ALFRED THOMAS (Glamorganshire, E.): To ask the Secretary of State for the Home Department if his attention has been called to the coroner's inquest touching the death of Peter M'Duffy, who died in the police cell after arrest at Pontlottyn on Saturday night 28th November; and whether, having regard to the statement of the police constable, he will grant a special inquiry into the cause of death.

(*Answered by Mr. Secretary Gladstone.*) According to the newspaper report which my hon. friend has been good enough to send me, the medical evidence shows that death was due to natural causes; nor was there any other evidence of violence or unnecessary force having been used on the deceased. The facts appear to have been fully investigated at the inquest.

Unsanitary Condition of Pontardulais Tin Works.

Mr. J. WILLIAMS (Glamorganshire, W.): To ask the Secretary of State for the Home Department whether his attention has been drawn to the badly ventilated and insanitary condition of nearly the whole of the tin works situate at Pontardulais, South Wales; and whether he is aware that the conditions under which work is carried on at those works are conducive to sickness, severe illness, and, in some cases, consumption; and whether, if such conditions exist, he will cause instructions to be given to the owners thereof to make the work, and to carry out the improvements necessary for the preservation of the health of the workmen thereat.

(*Answered by Mr. Secretary Gladstone.*) I have no information as to any specific cases of illness at the works in question, but I am aware that, not only at these works but in tinplate works generally, the conditions as regards ventilation need considerable improvement, and the question of the best means to secure the removal of fumes and dust has been receiving special attention from the Factory Department. During the last three months a large number of works have been visited by the inspector and special inquiries made, and various experiments are now being carried out at different works. When the results of these experiments are known, the possibility of further action will be considered.

Accident at Greenfield (Lancashire) Waterworks.

MR. JOHN WARD (Stoke-on-Trent): To ask the Secretary of State for the Home Department whether his attention has been called to an accident at the new waterworks at Greenfield, Lancashire, on Friday last, by which one man was fatally and another seriously injured by a workman striking his pick against an unexploded blasting charge; and whether it is proposed to hold an inquiry relating to the cause and circumstances of the same in accordance with The Notice of Accidents Act, 1904.

(*Answered by Mr. Churchill.*) I have called for a report from the contractors, and will inform the hon. Member in due cousre whether an inquiry will be held either by the Board of Trade or by the Home Office.

Hours of Labour of Omnibus Drivers and Conductors.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Secretary of State or the Home Department whether he has any official information as to the number of hours worked per day, also the aggregate hours per week, of the horse omnibus conductors and drivers, and the motor omnibus drivers and conductors employed in London, and the wages paid; and whether, with a view to securing the safety of the public, he proposes to take any action in the matter.

(*Answered by Mr. Secretary Gladstone.*) I am not fully informed on this subject, and I have not had time to consider the matter since the appearance of the Question. It must be remembered, however, that the hours worked by drivers and conductors is a matter over which I have no direct authority.

Report of Departmental Committee on Fair Wages Clause.

MR. RAMSAY MACDONALD (Leicester): To ask the Secretary to the Treasury it he can state when the Report of the Departmental Committee inquiring into the administration of the Fair Wages Clause in Government contracts will be published.

(*Answered by Mr. Hobhouse.*) I understand that the Report and evidence will be in the hands of Members in the course of the next few days.

Customs Boatmen—Unestablished Service counting for Pension.

MR. CROOKS (Woolwich): To ask Mr. Chancellor of the Exchequer whether he is aware that in February, 1901, the Treasury, in a letter to the Board of Customs, stated that boatmen who had unestablished service should count this for pension on promotion to the established staff, so long as the work was of a similar character; and, as this is the case of many men, will he grant such concession to all Government servants.

(*Answered by Mr. Lloyd-George.*) I have been unable to trace the correspondence to which the hon. Member refers, and there is on record in the Treasury no general decision in the sense suggested, though certain Customs boatmen have in fact, where the circumstances of the particular case appeared to justify the concession, been allowed to count service prior to establishment in full for pension purposes.

The Public Trustee and Commission on Investments.

MR. BOWLES (Lambeth, Norwood): To ask Mr. Chancellor of the Exchequer whether, in view of the fact that the Department of Public Trustee receives a proportion of the commission charged on dealings in investments belonging to its trusts and so, though a trustee, has a direct pecuniary interest in recommending such dealings, he will take steps to ensure that any recommendation of such dealings made by the Public Trustee in future shall be accompanied by a clear intimation to all the persons concerned that the department will derive a pecuniary benefit from the acceptance of its advice.

(*Answered by Mr. Lloyd-George.*) I see no reason for adopting such a course.

Irish Small Holders and Old-Age Pensions.

Mr. P. MEEHAN (Queen's County, Leix): To ask Mr. Chancellor of the Exchequer whether, in computing the annual value of small holdings in Ireland for the purposes of old-age pensions, allowance may be made for the actual and necessary sums expended for labour; and whether, when a claimant incapable of manual labour finds it cheaper or more convenient to maintain a child of his at home for the purpose of labouring on the holding, allowance may be made for the child's maintenance in computing the value of the holding of the parent.

(*Answered by Mr. Lloyd-George.*) The Answer to the first Question is in the affirmative. The Answer to the second Question would depend upon the precise facts of the case, and the decision would rest with the pension committee, subject to appeal to the Local Government Board.

Medical Relief and Pension Disqualification.

Mr. P. MEEHAN: To ask Mr. Chancellor of the Exchequer whether pension officers in Ireland have been instructed by the Board of Inland Revenue that in the opinion of the Board maintenance of a claimant in a union hospital since 1st January, 1908, is a disqualification for an old-age pension; and whether he will cause this decision to be rescinded, at least in those cases in which the claimant is willing to repay the cost of his maintenance.

Mr. J. MACVEAGH (Down, S.): To ask Mr. Chancellor of the Exchequer whether he is aware that, by decisions in Ireland of revising barristers and Judges, it has been repeatedly held that relief in a workhouse hospital does not disqualify the recipients from admission to the register of voters; whether he is aware that by Section 5 of the Parliamentary Registration (Ireland) Act, 1855, this principle is laid down; and whether, in view of the provisions of Section 3 of the Old-Age Pensions Act, he will state if pension officers are acting under authority in objecting to claims on the grounds that the claimants have been treated in workhouse hospitals.

(*Answered by Mr. Lloyd-George.*) I may perhaps be allowed to take these two Questions together. The point which they raise was dealt with in my reply to a Question by the hon. Member for Kilkenny on the 9th instant, and I do not think I can usefully add anything to what I then said.

Croydon Pension Officer.

Mr. CURRAN (Durham, Jarrow): To ask Mr. Chancellor of the Exchequer whether a pension officer in connection with the Old-Age Pensions Act is to be appointed for the borough of Croydon; and, if so, whether, in view of the present state of unemployment, he will give instructions that the person to be appointed must not be anyone who has retired from a position in respect of which he is receiving a pension.

(*Answered by Mr. Lloyd-George.*) No superannuated officer has been, or will be, appointed as a pension officer.

Income Tax.

Mr. FELL (Great Yarmouth): To ask Mr. Chancellor of the Exchequer if he proposes, before the introduction of the next Budget, to hold an inquiry into the incidence of income-tax and the anomalies that exist in charging the tax upon returns from wasting securities and on the profits of companies which are not divided among the shareholders, but on which, if divided, they could get reductions.

(*Answered by Mr. Lloyd-George.*) These questions were fully considered by Lord Ritchie's Committee in 1905, and they recommended that no change should be made into the existing law. I do not think that a further inquiry at the present time would serve any useful purpose.

Outdoor Relief and Pensions.

MR. J. MACVEAGH: To ask Mr. Chancellor of the Exchequer whether he is aware that in some cases pensions officers are objecting to claimants on the ground that their husbands obtained out-door relief, although the claimants themselves were not applicants for, and sometimes not even recipients of, the relief; and whether, for the guidance of pension officers, he will make it clear that applicants for pensions should not be disqualified unless they were actual applicants for relief.

(*Answered by Mr. Lloyd-George.*) I am advised that any person who receives benefit from the relief, whether the nominal recipient or not, is a person in receipt of poor relief within the meaning of Section 3 (1) (*a*) of the Old-Age Pensions Act, and is consequently subject to disqualification. Pension officers have been instructed accordingly.

Lovat Scouts in Sutherlandshire.

MR. MORTON (Sutherland): To ask the Secretary of State for War whether the Lovat Scouts in Sutherlandshire have the same rights and privileges as the Territorial Forces to the use of shooting ranges and drill halls; and, if not, will he make arrangements whereby the grievance might be remedied by both forces having the use of shooting ranges and drill halls.

(*Answered by Mr. Secretary Haldane.*) The Lovat's Scouts in Southerlandshire have the same rights and privileges as the rest of the Territorial Force. The provision of ranges is the business of the County Association whose proposals for accommodating this squadron have been approved. They occupy buildings exclusively, and share ranges with the 5th Battalion Seaforth Highlanders. Will my hon. friend kindly let me know what the particular grievance is to which he alludes?

Woolwich Inspection Department.

MR. CROOKS: To ask the Secretary of State for War whether he is aware that Mr. Bernard Dunn, when employed in the inspection department at Woolwich, brought to the notice of the Secretary of State for War that defective equipment was being passed into the service of the public; that Mr. Dunn was called as a witness before the Royal Commission on Warlike Stores and the inquiry by the Judge Advocate General at Woolwich; that the Judge reported that his statements were well founded and that the Government had been defrauded; and will he say whether Mr. Dunn has been paid for his work as a viewer, and, if not, will he be paid.

(*Answered by Mr. Secretary Haldane.*) This man was employed as a saddler in the Inspection Department and was discharged in 1890. Prior to this date he was apparently employed as a viewer without additional pay. Thirteen years afterwards he claimed what he stated to be the difference between his pay as a saddler and temporary viewer during the period he was employed as such. As he had signed a receipt for wages due to him on leaving the division in 1890 it was impossible to consider his claim. The fact that he gave some evidence to the Royal Commission mentioned does not appear to have any bearing on the matter in question.

Cavalry Officers.

SIR SAMUEL SCOTT (Marylebone, W.): To ask the Secretary of State for War what number or the 538 cavalry officers shown in the Return recently issued to Parliament are actually employed with their regiments; how many are on the seconded list or employed on duty away from their regiments; and whether in calculating the shortage of cavalry officers in the Regular Army, no deduction has been made for officers seconded or emlployed away from their regiments.

(*Answered by Mr. Secretary Haldane.*) The figures in question, which should read 536, did not include any officers seconded or extra regimentally employed.

Salisbury Plain Artillery Range.

MR. COURTHOPE: To ask the Secretary of State for War whether voluntary agreements have yet been made for the purchase of all the land required by the War Office of the extension of the artillery ranges on Salisbury Plain.

(*Answered by Mr. Secretary Haldane.*) Agreements have not yet been made for all the purchases. Negotiations are proceeding.

Cheap Ammunition for Rifle Clubs.

MR. COURTHOPE: To ask the Secretary of State for War whether a decision has yet been reached as to the supply of cheap ammunition to rifle clubs.

(*Answered by Mr. Secretary Haldane.*) The question is still under consideration.

Rifle-propelled Shrapnel Grenade.

MR. COURTHOPE: To ask the Secretary of State for War whether official experiments have been, or will be, carried out with Mr. F. Martin Hale's patent rifle-propelled shrapnel grenade; and whether the advisers of the War Office consider this or similar projectiles to possess military value.

(*Answered by Mr. Secretary Haldane.*) The proposed grenade is not considered to possess military value such as to justify experiments being carried out with it.

Ogival Bullets.

MR. COURTHOPE: To ask the Secretary of State for War whether the experiments which have been carried out with ammunition with pointed ogival bullets have yet resulted in the production of a satisfactory cartridge for use in the Lee-Enfield rifle.

(*Answered by Mr. Secretary Haldane.*) The reply is in the negative.

Sjögren Automatic Rifles.

MR. COURTHOPE: To ask theSecretary of State for War whether official experiments have been carried out with the Sjögren automatic rifle; if not, whether, in view of the fact that this rifle has been tested with satisfactory results by Continental governments, he will have this weapon included in the tests of automatic rifles; and what automatic rifles have up to the present been officially tested by the War Office.

(*Answered by Mr. Secretary Haldane.*) I do not think that it would be in the interests of the public service to publish any information in regard to experiments with automatic rifles.

Aldershot Military Patrols.

MR. LONSDALE (Armagh, Mid): To ask the Secetary of State for War whether his attention has been drawn to an order of Lieutenant-General Smith-Dorrien discontinuing the present system of patrolling the streets of Aldershot, and placing soldiers on their honour not to misbehave; and whether, in the event of this experiment proving successful, a similar order will be issued to every command in the Kingdom.

(*Answered by Mr. Secretary Haldane.*) The regulation as regards the patrolling of the streets of garrison towns by piquets is permissive. The practice is not universal, and the question as to the necessity or otherwise of employing men on this duty should be left to the discretion of the General Officers Commanding-in-Chief.

Lieutenant-Colonel Graham—West African Regiment.

MR. GEORGE ROBERTS (Norwich): To ask the Secretary of State for War if it is contemplated to transfer Lieutenant-Colonel Graham, the officer commanding 5th Royal Irish Lancers, to the command of the West African regiment; whether he is aware that this is the officer to whom his attention has been directed as having condoned a mutiny in the 5th Lancers in March, 1904, and against whose conduct complaints have been made; and, if so, will he consider the advisability of placing some other person in command of the black troops in West Africa.

(*Answered by Mr. Secretary Haldane.*) Colonel Graham has been appointed, on the recommendation of the Selection Board, to be Commandant of the West African regiment. He has seen service on the West Coast of Africa in two campaigns. As I have already informed the hon. Member on a previous occasion, no report of the alleged mutiny has ever reached the War Office. Nor have I any reason to believe that such mutiny took place.

National Defence.

MR. HUNT (Shropshire, Ludlow): To ask the Secretary of State for War whether, in view of the fact that, in the opinion of the greatest military authority in Great Britain, after the arsenals, naval bases, and principal places in the United Kingdom had been garrisoned, only 40,000 partially trained troops would be left to defend the country against the acknowledged possibility of a raid or raids of 69,000 picked foreign troops he would consider the necessity of organising all the men over thirty years of age and under sixty years who had served for three years or more in any of His Majesty's regular or auxiliary forces.

(*Answered by Mr. Secretary Haldane.*) As I have already informed the House, it is proposed at the proper time to take up the question of forming a reserve to the Territorial Force under the ægis of the County Associations. I am not prepared to discuss in an Answer to a Question the propriety of locking up what might in certain circumstances be better utilised as a mobile force in the defence of particular places. No such estimate as is suggested in the Question is reliable unless constructed in the light of such information as the Army Council alone possesses.

Lowry-Bane Evicted Tenant.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application from Henry Thompson, who was evicted in 1880 from the lands of Lowry-Bane, near Castlecauldwell, for reinstatement in his holding on these lands, which the Commissioners have given notice to acquire for the purposes of the Evicted Tenants Act, is the farm from which Thompson was evicted untenanted and his former house on it still available; and will the Commissioners favourably consider his application

(*Answered by Mr. Birrell.*) The application in question was not received by the Estates Commissioners within the time specified in the Evicted Tenants Act, and cannot therefore be considered in connection with the allotment of the lands of Lowry-Bane, which the Commissioners propose to acquire under that Act, and which are, as they understand, untenanted.

Blakeney Estate, Galway.

MR. JOHN ROCHE (Galway, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will request the Estates Commissioners to have the grass lands upon the Blakeney estate, County Galway, stripped as soon as possible, and thereby relieve the tenants from the grazing rents which they agreed to pay pending fixing of price; and whether he is aware that the price has been fixed for a considerable time.

(*Answered by Mr. Birrell.*) The Estates Commissioners furnished the owner of this estate, at his request, with an estimate of the price which they were prepared to give for the untenanted land. He has since instituted proceedings for the sale to the Commissioners, and they are having the tenanted land inspected, with a view to making an offer for the entire property. When their offer has been accepted and the requirements of the Statute has been complied with, the Commissioners will proceed with the allotment of the untenanted land.

Irish Teachers and Promotion.

MR. J. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many teachers would be entitled to increments and promotion to second grade, first grade, and first-of-first grade but for the reduction in the averages of their schools due to Rule 127 (*b*); and whether he can take any steps to secure the promotion to which these teachers are entitled being granted.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the Return asked for by th hon. Member would serve no useful purpose commensurate with the labour involved in its preparation. The promotions and increments of teachers do not depend on average attendance alone. Training, position in school, ability, and general attainments, length and character of service, and seniority are other determining factors.

Special Distinctions for Irish Teachers.

MR. J. MURPHY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the number of teachers trained between 1898 and 1900 who got special distinctions at their first examinations; the number of same placed provisionally in second class and afterwards depressed to third grade; the number of teachers trained in 1898–1900 whose salaries were originally fixed higher than the minimums of £56 and £44, the number of same placed on the minimum salary, who have since received special consideration; and the number placed in third grade who are paying premiums for second-grade pensions.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the compilation of the Return asked for would take a long time, and would involve the closest scrutiny of the records of the Board for many years, while no adequate advantage would accrue from it. In these circumstances I cannot ask the Commissioners to undertake the preparation of the Return.

Irish Teachers Good Reports.

MR. J. MURPHY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the numbers of female teachers and male teachers, respectively, who got three consecutive good reports previous to 1906, 1907, and 1908, but who have been denied their increments because cookery was not introduced into their schools; and whether he can see his way to recommend that these teachers should be paid their increments when the proficiency in ordinary literary subjects is satisfactory.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that, so far as can be ascertained in the time available, no male or female teachers such as are referred to have been denied increments solely because cookery was not introduced into their schools.

Cookery in Irish National Schools.

MR. J. MURPHY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Commissioners of National Education are compulsorily enforcing the teaching of cookery in national schools, though over 5,000 of these schools are one-roomed buildings quite unfitted for the purpose; whether increments have been withheld from teachers for not including cookery in the curriculum, though neither apartments or equipments have been provided whether pressure is being brought to bear on teachers to provide the equipment at their own expense, and managers notified to recoup such expenses out of the first fees earned by teachers; whether inspectors have been instructed not to give good reports unless cookery is taught and whether the Department of Technical Instruction provides equipment in all cases where they hold cookery classes.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that in Rule 120 of their Code it is provided that cookery and laundry work should be taught as part of the ordinary school programme to girls enrolled in the fifth and higher standards when suitable provision for instruction is available. Instruction in cookery need not necessarily take place in the schoolroom, but the fact that there is only one room in a school is not sufficient of itself to justify the ommission of this subject (which is regarded as of the first importance for Irish children) from the school curriculum. Increments have not been withheld in any case where the Commissioners were satisfied that good and sufficient reason existed for omitting cookery from the school programme. The Commissioners do not expect teachers to provide the equipment at their own expense. The managers are paid a grant of 5s. per head for each girl taught cookery in accordance with the official regulations, and from the grant the manager can meet the necessary incidental expenditure. The balance of the grant goes to the teacher. The allegation that inspectors have been instructed not to give good reports unless cookery is taught is incorrect. I am informed by the Department of Agriculture and Technical Instruction that, in all courses of instruction conducted by county teachers of domestic economy, equipment is provided under the scheme, but there are a number of schools working under the Department in which equipment has been provided by the schools.

Irish National Board—Senior Secretary.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the character of letters sent by the senior secretary of the National Board to some of the inspectors of schools throughout Ireland; whether he is aware that this official refuses to grant any interviews to inspectors to whom such letters have been sent; and whether the Irish Government will represent to the Commissioners of National Education that this official is not a fit person to fill the responsible position of senior secretary any longer.

(*Answered by Mr. Birrell.*) I would refer the hon. Member to my reply to a Question on the same subject asked by the hon. Member for West Limerick on 11th March last. The Commissioners of National Education inform me that all letters written by their secretaries are issued by the authority of the Board or of the Resident Commissioner, and that there is no foundation for the statement that their senior secretary refuses to grant interviews to inspectors. This officer is, I understand, a most efficient public servant.

Irish National Board Inspectors.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware of the action of the two chief inspectors of the National Board for years towards many of the twenty or so organisers who are subject to their authority; is he aware that some of these organisers have been obliged to leave the service by the treatment to which they have been subjected; that many others find it almost impossible to do their work satisfactorily owing to the character of the letters that are being constantly sent them; and whether he will call the attention of the Commissioners to the necessity of obliging their two chief inspectors to adopt a more considerate attitude towards their subordinates.

(*Answered by Mr. Birrell.*) The Commissioners of National Education are not aware that any of their organisers have been obliged to leave the service owing to the action of the chief inspectors or that there is any good ground for the other complaints referred to in the Question.

Blackrock Police Station, Cork.

MR. WILLIAM O'BRIEN (Cork): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the position of sergeant of the Royal Irish Constabulary at the Blackrock Station, Cork, is now vacant; whether, with the exception of the late sergeant, who held office there for eight months, a Catholic has never filled this position; and whether care will be taken in filling the present vacancy that deserving Catholics will not be excluded because of their religion.

(*Answered by Mr. Birrell.*) The Inspector-General of the Royal Irish Constabulary informs me that there is no vacancy at present for a sergeant at Blackrock Station. In the event of a vacancy care will be taken to select the most suitable man irrespective of religion. The present sergeant is a Catholic, but the three preceding sergeants whose service at the station covered a period of about thirty-five years, were Protestants.

Brabazon Estate (Cahir) Evicted Tenants.

MR. JOHN O'DONNELL (Mayo, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether the Estates Commissioners received applications from the representatives of Catherine Casey and Thady Flaherty, evicted tenants who held holdings of land on the Brabazon estate at Cahir, Aughamore, in the Swinford Union, County Mayo, for reinstatement in the holdings from which the late Catherine Casey and Thady Flaherty were evicted in October, 1898; and, if so, what action have they taken, or do they intend to take, in the matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners have decided not to take any action in reference to these applications. The holdings in question are now occupied by other tenants.

Trinidad Dock Director's Salary.

MR. SUMMERBELL (Sunderland): To ask the Under-Secretary of State for the Colonies if he can state whether certain members of the finance committee of Trinidad protested as to the salary of the dock director, and threaten to resign; and, if so, can he state what action he took to allay the trouble.

(*Answered by Colonel Seely.*) A protest was received from the unofficial members of the Legislative Council with regard to the matter referred to. The protest was largely due to the absence of complete information as to the circumstances of the appointment, and the Secretary of State has dealt fully with the matter in two despatches, one of which has been published in the Colony. The other will also be published there shortly. As a result of these despatches the unofficial members have resumed their duties on the finance committee and the Council.

Indentured Coolie Labour in Trinidad.

MR. SUMMERBELL: To ask the Under-Secretary of State for the Colonies if he is yet in a position to state the result of his inquiries as to the balance of opinion in Trinidad in regard to the importation of indentured coolie labour into that island; and, if so, can he state what action he intends to take in regard to indentured coolie labour in the Colonies.

(*Answered by Colonel Seely.*) I regret that I am not at present in a position to give any further information to my hon. friend, but I will do so, I can assure him, at the earliest possible moment.

Clyde Foreshores.

MR. DUNDAS WHITE (Dumbartonshire): To ask the Secretary to the Treasury if he will say what, if any, portions of the foreshores of the Clyde between Glasgow and Helensburgh, on the north side of the river, and Glasgow and Greenock, on the south side, are treated as belonging to the Crown.

(*Answered by Mr. Churchill.*) The greater part of the foreshores referred to is *prima facie* the property of the Crown. Certain portions are, however, vested in private owners, and claims have been made to other portions, which latter have not been admitted by the Crown. I am not able to give the limits of these portions in reply to a Question, but some of the information asked for could be supplied personally to my hon. friend or his representative if application is made at the Board of Trade.

Housing Loans.

MR. BOWERMAN (Deptford): To ask the Secretary to the Treasury if he will state what are the present terms for borrowing money by local authorities from the Public Works Loans Commissioners for purposes of the Housing of the Working Classes Acts, 1890 to 1903.

MR. STEADMAN (Finsbury, Central): To ask the Secretary to the Treasury what are the terms under which the Public Works Loans Commissioners are at present lending money to local authorities for the purposes of the Housing of the Working Classes Acts, 1890 to 1903.

(*Answered by Mr. Hobhouse.*) Loans to local authorities under the Housing Acts are sanctioned by the Local Government Board and secured on the rates, and are repayable either by equal half-yearly instalments of principal with interest on the outstanding balance or by way of annuity. The rates of interest are: 3½ per cent. per annum if repayable in not exceeding thirty years; 3¾ per cent. per annum if repayable in not exceeding fifty years.

Strumble Head Lighthouse.

MR. DUNDAS WHITE: To ask the President of the Local Government Board with reference to the island of about five and three quarter acres at Strumble Head, Pembrokeshire, which was purchased by the Trinity House as a site for a lighthouse, in June, 1907, for £400, if he will say what was taken as its annual value for rating at the time of that purchase, or, if it formed part of a larger subject, by what amount the annual value for rating of that larger subject was reduced in consequence of the severance of that purchased part.

(*Answered by Mr. John Burns.*) I am informed that the island at Strumble Head was not separately rated, its value for rating purposes being included in the assessment of the farm of which it formed part, and that no reduction has been made in the assessment of the farm in consequence of its severance therefrom.

Distress at Hartlepool.

Mr. SUMMERBELL: To ask the President of the Local Government Board whether he has received an application from the town council of Hartlepool for sanction to create a distress committee; and whether he is prepared to grant the application.

(*Answered by Mr. John Burns.*) An Order for the establishment of a distress committee for the borough of Hartlepool is being issued to-day.

Secondary Schools Grants.

Colonel R. WILLIAMS (Dorsetshire, W.): To ask the President of the Board of Education whether he will consider the possibility of paying earlier in the school year both the payment on account and the final payment of the grants to secondary schools, in view of the financial difficulties often caused to the governing bodies of such schools by the fact that salaries and other expenses are increased in deference to the Board's requirements and have to be paid many months before the grants are received.

(*Answered by Mr. Runciman.*) The final payment of grants to secondary schools cannot be made until the claims have been received by the Board after the end of the school year on 31st July, and the observance of the conditions upon which the grants are payable checked and the amounts of the grants calculated in the Board's office. If the conditions have been duly complied with, payment is made before the end of the financial year on 31st March, and in a very large number of cases at a much earlier date, but as all the claims come forward at the same time of the year the Board are unwilling to pledge themselves to payment in any case before the end of March. The instalments of grant are paid as soon as possible after the beginning of the financial year in April, when about two-thirds of the school year have been completed. They could not be paid at an earlier date without an additional charge upon the Exchequer during the year of change.

Parliamentary Accommodation.

Mr. WATT (Glasgow, College): To ask the First Commissioner of Works whether any of the 204 rooms utilised in the Houses of Parliament by the Commons are also utilised by the Peers; and whether any of the 113 rooms utilised by the Peers are also taken advantage of by the Commons, and in this way are included twice in the total of 317.

(*Answered by Mr. Harcourt.*) No room is used twice, but I regret that there was a clerical error in my former answer which should have stated the rooms utilised by the House of Lords as 133.

H.M.S. "Inflexible."

Mr. E. H. LAMB (Rochester): To ask the First Lord of the Admiralty whether orders have been issued for H.M.S. "Inflexible" to leave England for Gibraltar on 20th December; and, if so, whether, consistently with the national interests and without interfering with the requirements of the service, such departure could be postponed for a few days, in order to enable the officers and men to spend Christmas at home.

(*Answered by Mr. McKenna.*) H.M.S. "Inflexible" will not leave England until after the New Year.

Old-Age Pensions and Friendly Societies.

Mr. STEADMAN: To ask Mr. Chancellor of the Exchequer if there are special provisions made under the Friendly Societies Act, in the Old-Age Pensions Act; and if pensions received from friendly societies count as income.

(*Answered by Mr. Lloyd-George.*) The reply to the first Question (in so far as I understand it) is in the negative; that to the second Question is in the affirmative.

Applications for Old-Age Pensions from Persons bodily infirm.

Mr. MULDOON (Wicklow, E.): To ask Mr. Chancellor of the Exchequer whether any provision has been made under the Old-Age Pensions Act, 1908, by the regulations issued thereunder or otherwise, to enable poor persons otherwise qualified, who are unable by reason of mental or bodily infirmity, to present a claim in due form.

(*Answered by Mr. Lloyd-George.*) Arrangements have been made whereby pension officers will assist claimants who, through bodily infirmity, may be incapable of attending at the post office in preparing their claims. As regards cases of mental infirmity, it does not appear to be practicable to indicate any procedure generally applicable to cases of this type. Each case, and the appropriate procedure, must be considered and determined with especial reference to the actual circumstances of the case.

Territorial Army—Allowance of Practice Ammunition.

Mr. B. S. STRAUS (Tower Hamlets, Mile End): To ask the Secretary of State for War whether the annual allowance of practice ammunition for recruits and for trained soldiers of the Territorial Army is limited to forty-two rounds per man; whether he is aware that very frequently these forty-two rounds are fired off in one day; and whether he will consider the possibility of permitting a portion of these rounds to be exchanged for rounds of short-range ammunition of equivalent value to be fired at miniature ranges.

To ask the Secretary of State for War whether he will consider the desirability of granting an allowance of short-range ammunition sufficient to enable Territorials to become efficient riflemen by practising at miniature ranges.

(*Answered by Mr. Secretary Haldane.*) The allowance of ammunition for a man in the Territorial Force is ninety rounds per annum. The number of rounds to be fired off in one day is limited. This allowance may be commuted into miniature cartridge according to a recognised scale. It is considered that this will provide ample opportunity for miniature range practice.

Increased Pay for Quartermasters of the Special Reserve, Royal Field Artillery.

Sir ROBERT HOBART (Hampshire, New Forest): To ask the Secretary of State for War whether the quartermasters of Special Reserve, Royal Field Artillery, have made application for some increase of pay on the ground of their doing adjutants' work in addition to their own; and whether he can now see his way to give them something for it.

(*Answered by Mr. Secretary Haldane.*) Some applications have been received. It has been decided that, taking the work of these officers as a whole, no grant of extra remuneration could be justified.

Weekly Payment of Army Pensions.

Captain CRAIG (Down, E.): To ask the Secretary of State for War whether he is aware of the desire expressed among many Army pensioners in Ireland during the present distress to have their pensions paid weekly instead of quarterly; and whether any arrangements have been made to carry out a scheme on such lines.

(*Answered by Mr. Secretary Haldane.*) The War Office has received no recent applications to this effect from Ireland. As regards the last part of the Question, I have nothing at present to add to the information I gave to the House in reply to a Question put by the Member for the Isle of Wight division of Hampshire on 14th October.

QUESTIONS IN THE HOUSE.

Portsmouth Admiralty Contracts.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether he is aware that the firm of Messrs. Morrison and Mason, contractors for the Board of Admiralty at Portsmouth, reduced the wages of the labourers on the 15th September from 27s. 9d. for a week of fifty-six hours to 23s. 1d. for a week of fifty-six hours; whether he is aware that at the present time these labourers are working fifty-two hours per week for 5d. per hour, or a penny per hour less than they received from the firm for the same class of work up to the 14th September; whether he is aware that the agreed winter hours in the building trade for the town of Portsmouth are forty-seven per week; whether he is aware that 6d. per hour is paid by many master builders in the town, and that his department has been so advised; whether he is aware that the Portsmouth town council, when advertising for tenders, insist upon trade union rates of wages and conditions, and that the corporation pays its own labourers 24s. per week of forty-eight hours; whether he is aware that when the reduced wages were offered by the firm most of the trade unionists in its employ demanded the recognised rate of 6d. per hour, and, failing to get it, left the employment; whether he is aware that the hon. Member for Stoke-on-Trent demanded, on behalf of those labourers with whom he was concerned, the trade union rate, and the demanded was acceded to; and whether, in view of the fact that the officials of the corporation, the master builders, and the trade unionists of the town regard this reduction as injurious to the town, he can see his way at once to press the firm in question to come into line with other employers in the district.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): The contractors deny having reduced the rates of pay of any labourers taken on since the commencement of the work. The Admiralty have very fully considered this question, and I can add nothing to my previous replies on the subject.

MR. T. F. RICHARDS: Will the right hon. Gentleman make further inquiry of the Corporation Surveyor, the President of the Building Trades Federation, and the Secretary of the Trades Council, all of whom consider the wages paid by the contractors to be below the rate of wages recognised in the district?

MR. MCKENNA: I have already made inquiries in these quarters. There is an issue of fact between my hon. friend and myself, but if he will give me the names of any labourers alleged to have had their wages reduced I shall be happy to inquire again.

MR. JOHN WARD (Stoke-on-Trent): Can the right hon. Gentleman answer the last part of the question? Did not the contractors pay less than the recognised rate to a certain body of men, and then when they protested pay the proper rate? Has it not been only since the decision of the Admiralty——

*MR. SPEAKER: That is an argumentative question.

British Naval Manœuvres.

MR. MIDDLEMORE (Birmingham, N.): I beg to ask the First Lord of the Admiralty if he will state the number of British warships, exclusive of destroyers and torpedo boats, assembled together under one command for the purpose of combined manœuvres in European waters in the years 1906, 1907, and 1908, respectively.

MR. MCKENNA: The number for 1906 is forty-seven ships. In 1907, on three different occasions, the numbers were sixty, twenty-three, and fifty-eight ships. In 1908, combined manœuvres have been carried out between opposing fleets, but not under one command.

MR. MIDDLEMORE: Can the right hon. Gentleman give me the greatest number of vessels manœuvred at one time under Sir A. Wilson?

MR. MCKENNA asked for notice of the Question.

Oil Fuel Storage.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty what steps are being taken to increase the capacity of naval ports for the storage of oil suitable for combustion in warships, MR. MCKENNA: The question of the provision of oil fuel storage continues to receive the close attention of the Admiralty; but it is not desirable in the public interest to make any detailed statement in reply to the hon. Member's Question.

Sentence on a Hindu for Preaching Sedition.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for India whether a Hindu has been lately sentenced to five years transportation for preaching sedition to passengers in a railway carriage; if so, whether the accused in this case was tried by a jury; and whether there were any special reasons for the infliction of so severe a sentence.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): Proceedings were recently instituted under Sections 124 (a) and 153 (a) Indian Penal Code against a Hindu for seditious and inflammatory speeches made on the Hyderabad railway. The Secretary of State has no official information as to the mode of trial or its result. As the hon. Member is no doubt aware, it would be open to the accused, on conviction, to appeal for a reduction of his sentence.

Sentence for Printing Seditious Articles in Madras.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether his attention has been drawn to the case of Srinivasa Tyengar, printer of the *India* newspaper, published in Madras, who has been sentenced by the High Court to five years hard labour for printing seditious articles; whether the Crown challenged all the Indian jurors summoned for this case except one; whether the jury who convicted the accused consisted of eight Englishmen and one Indian, who is an official under the Government; and whether, in all the circumstances, seeing that there is no appeal from this order, the Secretary of State will communicate with the Government of India with a view to mitigating the severity of this sentence.

MR. BUCHANAN: The Secretary of State has seen a newspaper report of the case, but has no official information on the subject. Both sides appear to have made use of their right to challenge jurors. As my hon. friend is aware, the jury returns the verdict of guilty or not guilty, but they have nothing to do with the severity of the sentence. The accused can appeal for a reduction of his sentence to the Government of Madras and the Government of India, and finally to the Crown.

Indian Civil Service Pensions.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether, having regard to the provisions of Article 351 of the Civil Service regulations under which the Indian Government possess the right of withholding or withdrawing a pension or any part of it if the pensioner be convicted of serious crime or grave misconduct, and of the fact that the decision of the Secretary of State on the exercise of this power is declared final and conclusive, the Secretary of State proposes to make any inquiry into the circumstances under which the pension of a retired tehsildar in the Central Provinces was lately withdrawn, on the ground of his participation in political agitation.

MR. BUCHANAN: As I have informed the hon. Member in reply to previous Questions, it is open to the retired official concerned to submit an appeal in the usual manner, but, so far as the Secretary of State is aware, he has not yet done so. The Secretary of State does not propose to withdraw the case from the hands of the competent authorities in India.

Walfisch Bay.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Secretary of State for Foreign Affairs whether he has any information of communications having passed between the German Imperial Colonial Minister and the Prime Ministers of Cape Colony and the Transvaal, with reference to the proposed cession of Walfisch Bay to Germany; and whether he can make any statement on the subject.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): Mr. Merriman recently stated in the Cape House of Assembly, that the Cape, of which Colony Walfisch Bay forms part, had not the slightest intention of parting with it, or with the control of it, and that they were acting with the other South African Governments in the matter.

SIR GILBERT PARKER (Gravesend): May I ask if under the Constitution a Colony having responsible government could part with any portion of its territory without the assent of this Government?

*MR. SPEAKER: The hon. Member should give notice of that Question.

Blue-Book on Natal Libel Actions.

MR. RIDSDALE (Brighton): I beg to ask the Under-Secretary of State for the Colonies if he is aware that a blue-book has just been circulated, containing 130 pages, consisting of nothing but reports of a series of libel actions brought by a Natal native, mainly against various newspapers; and what was the cost to the State of printing and circulating this State Paper.

COLONEL SEELY: My hon. friend no doubt refers to Cd. 4403 which was published in the special circumstances explained on page 3. I understand that the cost of printing was £62. No special expense was incurred in circulating.

Gold Coast Colony Revenue.

MR. RIDSDALE: I beg to ask the Under-Secretary of State for the Colonies, if considerably more than half of the revenue of the Gold Coast Colony is derived from import duties on spirits; and whether a system of revenue can be devised that does not depend for its main support upon the sale of spirits among natives.

COLONEL SEELY: The revenue of the Gold Coast in 1907 was £708,718. The total amount of the import duties collected on spirits was £254,348, which is rather more than one-third of the total revenue.

West African Liquor Trade.

SIR JOHN KENNAWAY (Devonshire, Honiton): I beg to ask the Under-Secretary of State for the Colonies if he can inform the House whether the Commission to inquire into West African liquor traffic has been constituted and a chairman appointed; and whether any-one else will be sent out from England to serve on it.

COLONEL SEELY: The constitution of the full Committee of Inquiry is now under consideration. The Secretary of State hopes to find a chairman who will command general confidence, and it is probable that another gentleman who has experience in Southern Nigeria, and who is at present in England, will be asked to serve with the members already in the Colony.

SIR GILBERT PARKER (Gravesend): Will the chairman be sent out from this country?

COLONEL SEELY: Yes, if we can find a suitable man, as I hope we may.

British East African Justiciary.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether he will furnish particulars as to the salaries of Judges and Magistrates in British East Africa, and as to their age, their standing at the Bar, and their professional and judicial experience previous to their appointment.

COLONEL SEELY: A recital of the qualifications of the officers referred to by the hon. Member, would exceed the limits of an oral Answer, but I will send him a list giving the particulars which he desires, with the exception of the ages of the officers, which cannot be ascertained without special inquiry.

Alleged Official Malpractices in British East Africa.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that malpractices in regard to native women were alleged to have been the cause of the disturbances which led to the punitive expedition against the Nandi tribe in British East Africa; and whether the late Under-Secretary of State for the Colonies, during his recent visit to the Protectorate, made any inquiry into these allegations.

COLONEL SEELY: The Secretary of State is not aware that such allegations have been made, and no such statement was made to my right hon. friend during his recent visit to the Protectorate.

SIR GILBERT PARKER: Is the hon. gentleman aware that these statements are very freely made in British East Africa, both in the Press and elsewhere?

COLONEL SEELY: We have no reason to think, and have no communication to show, that they are well-founded.

Hayti.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Secretary of State for Foreign Affairs whether he can give any further information with regard to the position of affairs in Hayti.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): The latest telegrams from His Majesty's Consular-General in Hayti, dated December 8th, reports that order has been re-established in the island. General Simon has been proclaimed Chief of the Executive pending the election of a President, which will take place as soon as the requisite number of deputies can be assembled. His Majesty's ship "Scylla" is still at Port-au-Prince, and will for the present be retained there or within reach.

New Guinea Frontier.

MR. MITCHELL-THOMSON: I beg to ask the Secretary of State for Foreign Affairs whether any steps are being taken to provide for the delimitation of the frontier between British and German New Guinea; and, if so, whether he is in a position to make any statement on the subject.

SIR EDWARD GREY: A Joint Commission has been appointed by His Majesty's Government and the German Government for the delimitation of the boundary between Papua and German New Guinea. The German Commissioner, Captain Forster, is expected to arrive in the boundary territory at the end of this month, while the British Commissioner, Mr. Sabine, Chief Government Surveyor of Papua, is believed to be already on the spot.

MR. MITCHELL-THOMSON: Will these Commissioners have plenary powers or only report to their respective Governments?

SIR EDWARD GREY: I cannot say off-hand what their powers will be.

Persia.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for Foreign Affairs whether the new Council of State, composed of members nominated by the Shah, is the Shah's substitute for a parliament elected by the people; and whether he can say what action His Majesty's Government propose taking.

SIR EDWARD GREY: I cannot add to the Answer which I gave on Tuesday as to the intentions of the Shah. As to any action which we have taken, and the principles by which I wish to be guided in the matter, I must refer to the Answer which I gave to a Supplementary Question asked by the hon. Member for South Donegal, on November 26th.

MR. LYNCH (Yorkshire, W.R., Ripon): Is it not the fact that an arrangement was made on the 14th March, by the Russian Government with the Shah of Persia as to the summoning of a parliament freely elected by the people.

SIR EDWARD GREY: I have answered several Questions as to representations made to Persia, and I think it very undesirable that these Questions should be put without notice.

MR. LYNCH: asked whether the Council of State was to be convoked or a parliament freely elected. The Question he had put to the right hon. Gentleman——

*MR. SPEAKER: Order, order. Notice must be given. The hon. Member is now lecturing the right hon. Gentleman.

Cruelty to Animals in Cairo.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that, despite official promises to exercise preventive control, gross cruelty to beasts of burden is daily witnessed in the streets of Cairo; and whether he will urge upon the Egyptian Government, through the British Agent in Cairo, the necessity for preventive measures at certain points, and for some systematic educational policy in the interests of humanity.

SIR EDWARD GREY: The latest information on this subject, which I have received from His Majesty's Agent and Consul-General in Cairo, was communicated to the hon. Member on the 5th of May last. Sir Eldon Gorst then reported that the experience of the last twelve months up to April last, had shown that the present arrangements were working in a satisfactory manner. I will, however, refer any information on the subject to Cairo for such action as the authorities may be able to take.

Russian Officers in Persia.

MR. LYNCH: I beg to ask the Secretary of State for Foreign Affairs whether in the event of a conflict between the Royalist and Constitutionalist forces in Persia, the Russian officers in the Persian service have received instructions from the Russian Government to maintain a neutral attitude; and whether, in the event of their participation in acts of civil warfare, reparation will be exacted from Persia by Russia for any harm which may befal them.

SIR EDWARD GREY: I cannot say anything about instructions given by other Governments, and in so far as these Questions are hypothetical I cannot give any Answer. As a matter of fact, according to my information the Russian officers referred to have not taken any part in the fighting which has been taking place in the province of Azerbaijan during the last few months.

MR. LYNCH: Have they received the instructions suggested in the Question?

SIR EDWARD GREY: I have said I can say nothing about instructions given by other Governments.

Housing and Town Planning Committee.

MR. JOWETT (Bradford, W.): I beg to ask the President of the Local Government Board if he will inform the House how many public officials have been in attendance on the Chairman of the Housing and Town Planning Committee during the sittings of that body; what are the names of the said officials; and what offices they hold.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): There are two clerks to the Standing Committee to which the Bill was referred and these officers may in a sense be said to have been in attendance on the chairman during the sittings of the Committee in connection with this Bill. But subject to this I am not aware that any public officials were in attendance on him. In accordance with the usual practice the draftsman and some officers of the Government Departments concerned were present.

East Molesey Pension Applicant.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities): I beg to ask the President of the Local Government Board whether his attention has been called to the case of an applicant for an old-age pension at East Molesey to whom the pensions sub-committee felt themselves obliged to grant a pension, although he had £1,030 invested in Consols; and whether he is advised that the allowance of a pension in such a case was justified by the Pensions Act.

MR. JOHN BURNS: I have received a letter from the Molesey sub-committee respecting a case in which a man has £300 invested in Consols and his wife £730. Both are claimants for old-age pensions. I presume this is the case to which the Question refers. I gather that the committee have not at present come to a decision on these claims. I may say generally, that the Old-Age Pensions Act requires the yearly income, whether from investments or from other sources, to be taken into account. If the income from an investment, together with any other means possessed by the claimant, does not exceed £31 10s., and he is not otherwise ineligible, he is qualified for a pension. The amount of the pension will depend on the amount of the means.

SIR HENRY CRAIK: Would not an applicant for a pension be required to invest that capital sum in an annuity which would largely exceed the amount that would exclude him from a pension?

MR. JOHN BURNS: I would defer answering that Question until after the pension committee have considered the matter further.

Mr. HAROLD COX (Preston): May I ask whether the furniture of these capitalists will be taken into account?

Lord R. CECIL (Marylebone, E.): Do not instructions lay down generally that all these sums are to be taken at 4 per cent. unless they are invested?

Mr. JOHN BURNS: I believe the general instructions do lay that down.

Mr. LUPTON (Lincolnshire, Sleaford): Is there anything in the Act which prevents persons from investing their money for the benefit not only of themselves but their descendants?

*Mr. SPEAKER: The Act is open to the hon. Member. He can see that for himself.

Mariners' Club Pensioners.

Sir HENRY CRAIK: I beg to ask the President of the Local Government Board whether a man of ninety-three years of age, whose only means of livelihood are 4s. 10d. a month from the Mariners' Club, to which he has subscribed nearly all his life, and 2s. 6d. a week of parish relief, is debarred from receiving any assistance under the Pensions Act.

Mr. JOHN BURNS: The Answer appears to be in the affirmative. A person who has received ordinary poor relief since the 1st January last is disqualified for a pension by subsection (1) of Section 3 of the Act.

Sir HENRY CRAIK: Does the payment of that moderate sum in poor relief place this poor old man in a position of inequality as compared with the capitalists referred to in my last Question?

Mr. JOHN BURNS: As at present, I am sorry to say it is so.

Milk Bill.

Mr. COUTHORPE (Sussex, Rye): I beg to ask the President of the Local Government Board when the Milk Bill will be printed.

Mr. JOHN BURNS: It would not be practicable for the Bill to make any progress this year, and it will, I think, be best to defer its introduction until next session.

Distress Committees.

Mr. T. F. RICHARDS: I beg to ask the President of the Local Government Board if he will state in what cases his Board has exercised its power under subsection (2) of Section 2 of The Unemployed Workmen Act, 1905, by creating a distress committee in any county or part of a county where no application has been made by the local authority.

Mr. JOHN BURNS: Under the provision referred to it would be necessary that a central body and distress committee should be established with similar constitutions to those of the central body and distress committees in London. There is no case in which this course has been adopted.

Out-Relief in the Lincoln Union.

Mr. GEORGE ROBERTS (Norwich): I beg to ask the President of the Local Government Board whether his Board has issued instructions to the Lincoln Board of Guardians, or any other board of guardians, to cease paying outdoor relief to any person who resides with friends, and where the income of the house where he or she resides is £1 per week.

Mr. JOHN BURNS: The reply to the Question is in the negative.

Unemployed Grants.

Mr. CLYNES (Manchester, N.E.): I beg to ask the President of the Local Government Board what amount of the grant of money has been distributed since the Government's last proposals in connection with unemployment were approved by the House; and what information has he of the extent to which distress has been relieved by the operation of the proposals in comparison with the distress indicated by official unemployment figures.

Mr. JOHN BURNS: Since the Prime Minister's statement on the 21st October, £57,570 has been paid in aid of schemes of work in England and Wales and £8,614, unexpended balances in the hands of the distress committees, has been appropriated to similar schemes. I am afraid I can give no reliable figures in reply to the latter part of the Question.

Old-Age Pensions Disqualifications.

MR. CLYNES: I beg to ask the President of the Local Government Board whether, in such cases as the following, the persons would be disqualified for an old-age pension; one who received parish relief for a few weeks during which the superannuation pay from his trade society was suspended through depression in trade, one who, without requesting it, received three days hospital treatment at parish expense, and one who had parish relief afterwards repaid to the guardians by the children of the receiver.

MR. JOHN BURNS: In the first and third of the cases referred to, the claimant would appear to be disqualified. The second case would probably come within the proviso to Section 3 (1) of the Old-Age Pensions Act, and if so the claimant would not be disqualified.

Brighouse Distress.

MR. O'GRADY (Leeds, E.): I beg to ask the President of the Local Government Board whether his Board has received an application from the town council of Brighouse for sanction to create a distress committee; whether any reply has yet been given to the application; and, if so, what were the terms of the reply.

MR. JOHN BURNS: I received on the 30th October an application from the town council of Brighouse for an Order establishing a Distress Committee for the borough, to which I replied on the 4th November, asking for certain information to enable me to deal with the matter. To this letter I have not at present received any reply.

Poor Law Medical Relief and Old-Age Pension.

MR. A. ROCHE (Cork): I beg to ask the President of the Local Government Board whether, in cases where poor relief in cash has been granted since the 1st January last only during the actual illness of a claimant, and on the recommendation of a medical officer, and where the medical officer gives a certificate in writing such grant was given on account of such illness, the Local Government Board will treat such relief as a disqualification for the receipt of an old-age pension; and if a claimant has been an inmate of a district hospital since the 1st January last, and only remained there under doctors' orders, will such relief be treated as a disqualification.

MR. JOHN BURNS: As regards the first point, I may say generally that it would seem to me that in such a case as that put, the claimant would be disqualified. As regards the second, I think that it would be necessary to know more of the actual facts of the case before an opinion could be expressed. I should add, however, that if the cases which have given rise to the Question occur in Ireland, the matter is not one for me but for the Irish Local Government Board.

Churches (Scotland) Commission.

MR. ESSLEMONT (Aberdeen, S.): I beg to ask the Secretary for Scotland if he can state in detail the salaries paid in connection with the Churches (Scotland) Commission, the total expenses of the Commission up to 1st December, 1908, and whether these expenses are to be met out of the funds allocated to the two churches; and, if so, in what proportion.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The expenses of the Church Commission are not a charge on public funds. The chairman, however, has authorised the following particulars to be communicated to me. The largest item is the cost of the local inquiries under the terms of the Act. These, including the fees of Assistant Commissioners, have amounted to over £4,000. The total salaries paid in connection with the office of the Commission, for a secretary, two clerks, and a messenger, up to April, 1907, were at a rate of £1,178 per annum. At that date a third clerk was added and the total salaries are now at a rate of £1,328 per annum. The expenses under all heads, including printing and shorthand writing, up to 1st December, 1908, amounted to £10,194 17s. 9d. Treasury precedents and the rules prescribed for temporary Commissioners have been closely followed throughout. The entire expenses of the Commission are defrayed out of the property in question as defined by the Act.

North Uist Crofter Settlement.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland whether, in view of the fact that the island of North Uist is at present advertised for sale, and having regard to its suitability for the settlement of a crofter population, His Majesty's Government will take steps, by purchasing the island, to provide small holdings for the landless thereon.

MR. SINCLAIR: The funds at the disposal of the Congested Districts Board after the large purchases effected by them in recent years are not sufficient to admit of the course suggested by the hon. Member, even if desirable on other grounds. He is no doubt aware that with the co-operation of the Congested Districts Board several new crofter settlements have lately been formed, and that a large portion of the island is already in crofter occupation.

CAPTAIN CRAIG (Down, E.): How much would it take to purchase this island?

MR. SINCLAIR: I do not know.

CAPTAIN CRAIG: Would it not be a splendid opportunity to give effect to the intentions of the Government regarding small holdings at a reasonable cost?

MR. SINCLAIR: I can add nothing to my Answer.

Distress in Glasgow.

MR. CLELAND (Glasgow, Bridgeton): I beg to ask the Secretary for Scotland whether his attention has been drawn to the refusal of the Scottish Local Government Board to receive a deputation from the Glasgow Distress Committee, with reference to the Board's attitude towards the Distress Works at Tollcross Park; and whether, having regard to the exceptional distress at present existing in Glasgow, and the probable immediate discharge of a number of the unemployed at present engaged upon these undertakings as a result of the Board's decision, he will, as Chairman of the Scottish Local Government Board, bring pressure to bear upon that body to receive a deputation as requested by the Glasgow Distress Committee.

MR. SINCLAIR: The Board, who were acting with my concurrence as President, did not deem it consistent with consideration to the Glasgow Distress Committee, to receive a deputation in regard to a matter on which the views of the Committee and the Board had already been very fully expressed. Since, as I understand from my hon. friend, the Committee desire to urge new considerations I have no doubt the Board will be glad to receive a deputation from them on representations being made to that effect.

Compensation for Bad Seed.

MR. BARRIE (Londonderry, N.): I beg to ask the Vice-President of the Department of Agriculture (Ireland), whether compensation has now been paid, as promised, to farmers who were in error supplied by the Department with unsuitable seed last season; and, if not, will he state what has caused the delay in making these payments, and will he hasten them.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.): Considerations involving legal questions have caused delay. I hope payable orders may be issued to-day.

MR. BARRIE: I beg to ask the Vice-President of the Department of Agriculture (Ireland), what is the total amount of the claims for loss sustained through the supplying of unsuitable seed by the Department to Irish farmers; whether the full amount has been recovered from the foreign firm who supplied the faulty seed in breach of warranty; and whether, to protect seedsmen and farmers in making purchases this season, he will give the name of the firm in question.

MR. T. W. RUSSELL: Growers have asked £20 per bag. There were about fifty bags; no part of this has as yet been recovered from the foreign firm who supplied the seed. The firm in question is a respectable and reputable one, and I do not think any good purpose would be served by publishing the name.

MR. BARRIE: Is it not the case that the purchase of seed by the Department from this firm led to farmers buying privately from it and thus incurring loss?

*MR. SPEAKER: Notice should be given of that.

MR. FLYNN (Cork, N.): Was the purchase made from a Scottish firm?

MR. T. W. RUSSELL: It is not a Scottish firm. I am satisfied that the whole thing is the result of a mistake and the loss will be made good. We shall do our best to prevent a repetition.

Alleged Jury Packing at Sligo.

MR. O'DOWD (Sligo, S.): I beg to ask Mr. Attorney-General for Ireland whether he is aware that in the three cases of the Geevagh, County Sligo, traversers, tried at the Connaught Winter Assizes in Limerick, the Crown Solicitor for Sligo ordered sixty-six jurors to stand by, including a gentleman who is a Justice of the Peace and who has held the offices of High Sheriff and Mayor of the city; did the Crown Solicitor in these cases act under the instructions and with the sanction of the Attorney-General in challenging sixty-six jurors without cause; and will he inform the House whether, since his appointment to office, he has issued to Crown Solicitors any instructions in reference to the selection of juries in Crown cases, and, if so, what were his instructions.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool Exchange): The Crown Solicitor for the county of Sligo informs me that in the three cases referred to he ordered the number of jurors mentioned in the Question to stand by. His reason for so doing, as stated by my right hon. friend the Chief Secretary in a reply given by him on my behalf to a Question asked by the hon. Member for East Galway on the 7th instant, was that he had trustworthy information that an active canvass of the jurors had been made on behalf of the prisoners, and that persons had actually come from Sligo to Limerick for the purpose of influencing the jurors. The Crown Solicitor was bound to exclude from the jury all persons whom he had reason to believe were influenced by this improper practice, and who would, in his opinion, have been hindered thereby from giving an impartial verdict. I have no knowledge of the individuals ordered to stand by. This is a matter entirely for the Crown Solicitor, who acts on the best information he can procure irrespective of the position in life of the jurors challenged. I have given no special instructions as to ordering jurors to stand by at the present Assizes, but about two years ago I instructed all Crown Solicitors not to order any juror to stand aside on account of his religious or political opinions, and I have no reason to believe that these instructions have been in any way disregarded in the cases referred to in the Question.

MR. DILLON (Mayo, E.): Will the right hon. Gentleman explain in what respect these proceedings differ from the ancient practice of jury packing, which we understood had been abandoned by the present Government, and is he aware that on all previous occasions when complaint was made in this House of jury packing the Answer given was in the very words he has just used that nobody was ordered to stand aside on account of his political or religious opinion.

MR CHERRY: I always understood that the practice of jury packing as alleged in former times was that jurors were ordered to stand aside by reason of their religious or political views, and that jurors of one particular religious faith were empanelled. I never understood that hon. Members objected to jurors who had been canvassed being ordered to stand aside So long as I remain Attorney-General I shall not give instructions to abstain from challenging jurors in such cases.

MR. DILLON: What proof does the right hon. Gentleman allege he is prepared to give that these sixty-six jurors had been canvassed? Has he asked the Crown Solicitor for Sligo whether he acted upon proof in the matter?

MR. CHERRY: As I have already stated, the matter was left entirely to the discretion of the Crown Solicitor, I cannot interfere in the details in each case.

MR. DELANY (Queen's County, Ossory): Can the right hon. Gentleman state if the system prevails in this country of setting aside jurors in this wholesale manner?

MR. CHERRY: I cannot answer for the practice in this country.

Edge Estate, Queen's County.

MR. P. MEEHAN (Queen's County, Leix): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether negotiations for sale of the Edge estate, Moyadd, Queen's County, are being carried on, or whether terms of purchase have been agreed on; whether he is aware that John McCormack was evicted from a farm of 100 acres at present occupied by a planter named Goucher; whether the son of the evicted tenant has applied to the Estates Commissioners for restoration; whether he is aware that a man named Andrew Pennycook, non-resident, is in occupation of a grazing ranch of 150 acres, from which tenants were evicted, and that Mr. Pennycook is owner and occupies a farm of 138 acres on the former Duke of Leinster's estate, purchased under the Act of 1903, advance made £3,542; whether he is aware that there are on the Moyadd estate five families, numbering 17 persons, who occupy a total of 5 acres, and that there are numerous uneconomic holdings in the district; and will he say whether the two grazing farms containing 253 acres occupied by only one family will be acquired by the Estates Commissioners for distribution amongst the evicted tenants and uneconomic holdings.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The Estates Commissioners inform me that certain purchase agreements have been lodged in respect of this estate, but they do not include agreements in respect of the 134 acres held by John Goucher as a yearly tenant, or in respect of the 162 acres held by A. K. Pennycook as a judicial tenant. The Commissioners have received an application for reinstatement from John McCormack. They have not yet inquired into the estate, as it has not yet been reached in its order of priority. They are therefore unable to express any opinion as to the matters referred to in the concluding portion of the Question. An advance of £3,542 was made to Andrew Pennycook in connection with the sale of the Duke of Leinster's estate.

MR. P. MEEHAN: Is it not the case that Mr. Pennycook is satisfied to sell the estates to the Commissioners for distribution among 17 persons who now hold less than 5 acres between them?

MR. BIRRELL: I have given the hon. Gentleman all the information in my possession.

Mr. Henry Hosie's Athy Lands.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the total acreage of land in the counties of Queen's County and Kildare in the occupation of Henry Hosie, Courcestown, Athy, for the purchase of which money has been advanced to him; and what is the total amount of money so advanced.

MR. BIRRELL: The Estates Commissioners inform me that advances amounting to £412 have been made to Henry Hosie for the purchase of two holdings comprising 36 acres in County Kildare. No advances have been made to him for the purchase of lands in the Queen's County.

MR. P. MEEHAN asked if an agreement had not been signed for the purchase of two holdings, one of 385 acres and the other 183 acres. Would the Estates Commissioners advance the money for the purchase of these so that the evicted tenants might soon be reinstated?

MR. BIRRELL: I must ask for notice.

Close Estate, Queen's County.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether he is aware that Robert Anderson, Castlemitchel, Athy, is at present, and has been for over 20 years, the rated occupier of the lands of Fossey and Ballintha, on the Close estate, Queen's County, purchased under the Act of 1903, in the name of Stephen Marcus Telford; that Mr. Telford is a nephew of Mr. Anderson; that an assignment of these lands was made by Anderson to Telford immediately preceding the sale of the Close estate; that these lands were re-assigned to Anderson by Telford in 1906, that Robert Anderson was registered as owner in fee of the said lands, on 29th November, 1906, and that the considerations in both assignments were natural love and affection; whether he is aware that there was advanced for the purchase of Robert Anderson's holding on the Leinster estate £4,173, and for the purchase of his holding on the Close estate £5,363, total £9,536; and whether if on inquiry he is satisfied that the advance of £9,536 for the purchase of land in the occupation of Robert Anderson, Castlemitchel, Athy, was obtained by misrepresentation, he will take steps to have the sale cancelled and to have that part of the land represented by the unauthorised amount of purchase money advanced, £2,536, acquired by the Estates Commissioners for evicted tenants and uneconomic holdings in the Timahoe district.

MR. BIRRELL: The Estates Commissioners inform me that Telford was returned by the landlord as the tenant of the lands in question. A purchase agreement signed by both parties having been lodged, the advance applied for by Telford was made and the lands were vested in him. The Commissioners are making inquiries as to the other statements in the Question, and if, on inquiry, they find that the advance was obtained by fraud or misrepresentation they propose to take such action as may be authorised by law.

Luggacunnan Estate, Queen's County.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he is aware that seventy-three evicted tenants on the Landsdowne Luggacunnan Estate, Queen's County, applied for reinstatement, and that the claims of twenty-one evicted tenants were rejected, and can he say on what grounds they have been rejected; whether he is aware that these twenty-one evicted tenants are in poverty, some in absolute want; whether he is aware that Mr. Byrne, who was evicted from Tully Castle farm of 203 acres has had to enter Athy union hospital, and that his sister, who was also evicted, has as the only means of support what she can earn by needlework, and will he state what amount of public money has been advanced to the planter, Tarleton for the purchase of Byrne's property; whether these twenty-one evicted tenants have been deprived of the benefits of the Act of 1903 by the action of the inspector, on whose reports the Estate Commissioners acted; and whether he will order these twenty-one cases to be re-considered with a view of reinstatement in their own or equivalent holdings.

MR. BIRRELL: The Estates Commissioners have decided, for one or other of the reasons mentioned in paragraph 20 of their Special Report as to evicted tenants, not to take any action in reference to twenty of the applications for re-instatement on this estate. Hugh Byrne's application for reinstatement in a holding purchased by Tarleton in 1892 by means of an advance of £2,700 under the Land Purchase Acts, is one of those in which the Commissioners have decided to take no action. I have no power to interfere with their exercise of the discretion vested in them.

Lansdowne Estate, Queen's County.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Estates Commissioners, acting on the report of their inspector, refused the claim of John Kelly, the grandson and only representative of Mr. Daniel Whelan, who was evicted from Barrow House farm of 182 acres on the Lansdowne estate, Queen's County, on the grounds that John Kelly's father held 200 acres and that the kinship was too remote; whether he is aware that John Kelly's father has a second family of six children; whether he is also aware that the planter, Henry Hosie, was, at the date when the Estates Commissioners sanctioned the advance to him for the purchase of Barrow House farm, already in occupation of 584 acres; and will he say under what section of the Act of 1903 or any Act the claim of the evicted tenant was repudiated because his father occupied 200 acres and the farm to which he claimed restoration given to a planter holding 584 acres.

MR. BIRRELL: The Estates Commissioners, in the exercise of their discretion, have decided to take no action on the application of John Kelly. The principles on which they act in dealing with such applications are set out in paragraph 25 of their special Report of 11th June, 1907 [Cd. 3570]. As regards Henry Hosie I would refer the Hon. member to the reply which I have just given him.

Prosecution of Cattle-Drivers.

Mr. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the special instructions to the constabulary authorising them in certain cases of cattle-driving to arrest the offenders and bring them before a single resident magistrate out of petty sessions, with a view to their being bound over to good behaviour under the Act of Edward III., were of such a character as to require the approval of the Attorney-General before issue; and whether such instructions were approved in the present instance by the Attorney-General.

Mr. BIRRELL: I would refer the hon. Member to the reply given by my right hon. friend, the Attorney-General for Ireland, to a similar Question asked by him on the 11th November.

Mr. LONSDALE: Can the right hon. Gentleman explain the statement made in this House by the Attorney-General for Ireland, when he said that no special instructions were issued?

Mr. BIRRELL: My right hon. friend said no special instructions were issued with regard to cattle-drivers, and I presume that statement was correct.

Crime in Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the fact that the condition of affairs prevailing over parts of Ireland, manifested by the increased number of occasions on which firearms have been used in the perpetration of agrarian crimes during the past three years, is reflected also in the statistics of similar crimes of a non-agrarian character; and will he state whether it is proposed to place continued reliance upon the provision of the ordinary law in the expectation that an improved condition of affairs will result in this respect.

Mr. BIRRELL: The facts are as stated. As regards the concluding paragraph of the Question I would refer the hon. member to my reply to a somewhat similar Question asked by him yesterday.

Mr. FLYNN: Is the right hon. Gentleman aware that in reference to crimes of a non-agrarian character a learned Recorder drew attention to their serious increase and that was in the City of London and not in Ireland?

Captain CRAIG: Is it intended by the right hon. Gentleman and his colleagues to make these outbreaks the subject of pictorial placards by the Liberal Publication Department?

Mr. SWIFT MACNEILL (Donegal, S.): Do the crimes of a non-agrarian character include the threatening letter written by the hon. Member for North Armagh to Mr. Bailey and read out in this House?

[No Answer was returned.]

Treatment of the Blind.

Captain CRAIG: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he is aware that under the Acts which empower boards of guardians to send blind persons to institutions for the blind, it is laid down that such institutions must be approved of by the Local Government Board; and whether such institutions in Ireland are regularly inspected by Local Government Board inspectors; and, if so, are such Inspectors' reports available for the public.

Mr. BIRRELL: Under the Poor Relief (Ireland) Act, 1843, guardians may send any destitute blind child under the age of 18 to any institution for the maintenance of the blind approved by the Local Government Board. These institutions are not inspected periodically, but before the Board give their approval they cause an inspection to be made. No such approval is required in the case of blind paupers above 18 sent by guardians to any such institution under the Poor Afflicted Persons Relief (Ireland) Act, 1878.

Captain CRAIG: How can the Local Government Board give sanction to these places if they make no periodical inspection to see they are fit and proper places.

Mr. BIRRELL: I have said there is inspection before a blind child under 18 is sent to one of the institutions, but in the case of those over 18 no official approval is required.

CAPTAIN CRAIG: Are the reports of inspectors obtainable by the public?

MR. BIRRELL: The report of the inspector sent to ascertain if an institution is suitable for a child is not, I should say, available to the public.

Irish School Literature.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether his attention has been directed to the further correspondence which has taken place with reference to the condemnation of the Advanced National Reader by the Commissioners of National Education; whether he has had an opportunity of reading the book; whether he is aware that on the 3rd of November, the fifth or senior National Reader of this series was sanctioned by the Commissioners; and can he state upon what principle has a distinction been drawn between these two volumes.

MR. BIRRELL: I have seen the Resident Commissioner's letter of 10th September last, to which, I presume, the hon. Member refers, and I have also seen the Reader. The Commissioners of National Education inform me that the senior or 5th standard National Reader was specially considered at a meeting of the Board on the 20th October last, in connection with an application for sanction of its use in a National school. The Commissioners ordered that the use of the book should be allowed, but that the publishers should be called on to remove the statement on the title page that the book was "approved by the Commissioners." The Commissioners use their discretion as to what books they consider suitable or otherwise for use in schools receiving aid from their grants.

MR. BOLAND: Will the right hon. Gentleman answer the last part of the Question?

MR. BIRRELL: Well, the principle, I take it, is the discretion of the Commissioners.

MR. ROLAND: Is the right hon. gentleman aware that in the volume which is sanctioned reference is made to the blasted effects of England's rule in Ireland? Why is that permitted when equally true statements appear in the other volume which is not allowed to be circulated?

MR. BIRRELL: That would be a proper question to put to me if I exercised any discretion in the matter, but I have none.

Ennis Distress Committee.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether the application for a grant by the Ennis Distress Committee has been granted; and, if not, whether he will ask the Local Government Board to take the necessary steps in the matter, in view of the urgency of the question of unemployment, particularly during the winter months.

MR. BIRRELL: No grant from the Parliamentary Vote in aid of expenses under the Unemployed Workmen Act has yet been made to the Ennis Distress Committee, but their application for a grant is before the Treasury. I am doing my best to press the case forward.

MR. WILLIAM REDMOND: Will the right hon. gentleman be good enough to bear in mind that there is a good deal of unemployment at Ennis, and that the merit of the grant would be taken away if not promptly sent, seeing it is near Christmas, and the middle of the winter, when money is most urgently required?

MR. BIRRELL: That is the view I am pressing forward.

MR. WILLIAM REDMOND: Thank you, very much.

Appeals under the Labourers (Ireland) Act.

MR. KENDAL O'BRIEN (Tipperary, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the number of appeals under the Labourers (Ireland) Acts to the County Court Judges in respect of each rural district since 1st November, 1906, showing the number disallowed and the number of cottages and plots covered by such appeals, the number of such cottages and plots approved of and the number disallowed, with, if practicable, the reasons assigned by the County Court on the objections to cottages and plots so disallowed.

MR. BIRRELL: The orders made by the County Courts on these appeals do not disclose the grounds on which the decisions are based. I have no objection to granting a Return of the other particulars asked for the period from 1st November, 1906, to 1st November, 1908, if the hon. Member will move for it.

Trench Estate, Birr.

MR. REDDY (King's County, Birr): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the farms of Cushcallow, near Banagher, known as the Trench estate, was bought, with the sanction of the Estates Commissioners, under the expressed conditions that it would be used to enlarge the uneconomic holdings in the neighbourhood; and whether these conditions will be adhered to and carried out.

MR. BIRRELL: The Estates Commissioners inform me that proceedings are pending for the sale of these lands to them, and they hope shortly to be in a position to make a formal offer for their purchase. In allotting the lands, the Commissioners will have due regard to the circumstances of occupiers of small holdings in the neighbourhood.

MR. KILBRIDE (Kildare, S.): Is the right hon. Gentleman aware that the local parish priest and the local M.P. were willing to arrange this transaction on the distinct understanding that it should be divided amongst uneconomic holders in the parish to the exclusion of shopkeepers and business men, and that one of the Board's inspectors has been on the property recommending business men to get the land?

MR. BIRRELL: I am not aware of that.

County Cavan Analyst.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state who is the analyst for County Cavan, when was he appointed, where is his laboratory situated, what staff is employed there, for how many counties does he act as analyst, how many samples were submitted to him in the years 1905–6–7, how many of these samples did he personally analyse, and what is the total salary paid him, distinguishing the amount paid by County Cavan.

MR. BIRRELL: The analyst for county Cavan is Sir Charles Cameron, who was appointed in 1876. His laboratory is in Castle Street, Dublin, but I have no means of knowing what staff he employs in it. He acts as public analyst for twenty-four counties, and the salary paid to him by county councils, including £60 from County Cavan, amounts to £1,005. He also receives £385 per annum as analyst for eight boroughs. There is no official record of the number of samples submitted to him in 1905–6–7, but the county council might be able to supply the hon. Member with the information.

MR. VINCENT KENNEDY: Will the right hon. Gentleman do his best to secure that this Irish Department is made at least as efficient as the similar Department in Scotland?

MR. BIRRELL: These appointments are made not by the Government but by the county councils.

Knockmay Malicious Burning Prosecution.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a youth named Thompson has been convicted of perjury in connection with the alleged malicious burning at Knockmay, Queen's County; whether he is aware that County Inspector Tweedy, with the knowledge that Thompson's statement was false, ordered his statement to be taken on oath, with the object of obtaining warrants to arrest three innocent men; whether an inquiry will be held into this officer's conduct; and whether it is part of a police officer's duty to order statements to be taken on oath which, as in this case, he knew had been deliberately concocted.

I beg also to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 24th July, at a special Court held at Maryborough, summonses were issued by order of the presiding magistrate, and that

County Inspector Tweedy retained the summonses in his office; whether he is aware that the magistrates at the ensuing petty sessions, ordered the return of the summonses; and can he say by what authority the county inspector refused to execute a legal order of a magistrate made in Court.

MR. BIRRELL: I will answer these two Questions together. On the 24th July last, Thompson, who had made a statement charging three men with a serious crime, was brought before a magistrate, by direction of the county inspector, to have his information sworn and warrants issued if thought desirable. The magistrate decided to issue summonses. The county inspector, finding that Thompson's information differed materially from his previous statement, held over the summonses till he could speak to the magistrate, but had no opportunity of doing so, as the magistrate died. The summonses were withdrawn at petty sessions, on 4th August, and Thompson was subsequently prosecuted for perjury, and convicted. I see no ground for the allegation that the county inspector knew Thompson's original information to be false when he sent him before the magistrate. That officer's action throughout appears to have been in the interests of justice, and there is nothing in his conduct calling for an inquiry.

MR. P. MEEHAN: By what authority did the county inspector refuse to execute the order of the magistrate?

MR. BIRRELL: I should think the county inspector, finding a serious difference between the original statement on which the proceedings were taken and the information given at the proceedings, was perfectly entitled to exercise his discretion in the matter until he could refer it to the magistrate. At any rate, I see no harm in it.

MR. KILBRIDE: How long has this inspector been in Queen's County, where was he stationed before, and why was he promoted?

MR. BIRRELL: I cannot say without notice.

MR. REDDY: Is it a fact he was promoted because of the support he gave to Lord Ashtown?

MR. BIRRELL: No, Sir.

Sir H. Burke's Galway Estate.

MR. JOHN ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the price upon a considerable portion of Sir H. Burke's estate, County Galway, was left to the Estates Commissioners to fix; when had inspection for that purpose been finished; have the landlord and tenants yet been notified as to the price; and, if not, will he direct that it is done without further delay.

MR. BIRRELL: Proceedings in respect of the sale of four estates in County Galway, belonging to Sir Henry Burke, are pending before the Estates Commissioners. The Commissioners have intimated the prices they are prepared to offer for three of the estates. The fourth has been inspected and the inspector's report is under consideration.

Clanricarde Estate Evicted Farms.

MR JOHN ROCHE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that seven or eight evicted farms upon the Clanricarde estate were held by a man named Flower; whether he has any official information showing that Flower left over two years ago without paying rent due, and that the lands have since been derelict; and will he say what steps, if any, the Commissioners have taken to acquire those lands under the Evicted Tenants Act.

MR. BIRRELL: The Estates Commissioners inform me that the facts appear to be as stated. The Commissioners have notified their intention of acquiring these lands with others under the Evicted Tenants Act.

Castleisland Evicted Tenant.

MR. J. MURPHY (Kerry, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the cause of the delay on the part of the Estates Commissioners in dealing with the case of Mr. Maurice O'Flaherty, of Ballymacadam, Castleisland, County Kerry, an evicted tenant on the Blennerhassett estate.

MR. BIRRELL: The Estates Commissioners have inquired into the application of this evicted tenant, but they are not yet in a position to provide him with a holding.

MR. J. MURPHY: Will the right hon. Gentleman kindly ask the Estates Commissioners to do something for this man?

MR. BIRRELL: I will ask them to do their very best to secure land.

Belfast School Inspector.

MR. J. MURPHY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Commissioners of National Education, Ireland, are aware that their senior inspector of schools in Circuit 8, Belfast, was formerly an assistant teacher in national schools in that circuit, and that his relatives and friends live in the circuit; and will he say if it is in accordance with the practice of the Board to have inspectors stationed in their native localities.

MR. BIRRELL: The Commissioners of National Education inform me that the senior inspector referred to has been in their service as an inspector for thirty-one years. The Commissioners add that his occupation prior to his appointment as inspector, or the fact that he had relatives or friends in a particular circuit, would not necessarily affect his position as senior inspector of that circuit.

Sergeant Monahan, Royal Irish Constabulary.

MR. P. MEEHAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Sergeant Monahan, Royal Irish Constabulary, Maryborough, has been censured and punished for remissness in his duty in connection with the malicious burning at Knockmay; can he say of what particular remissness or neglect in duty Monagan has been guilty; and under what rule in the Police Code has the county inspector punished this man.

MR. BIRRELL: In this case, Joseph Thompson came to Sergeant Monahan and charged three men with the commission of a serious crime. The Inspector-General of the Royal Irish Constabulary informs me that it was the sergeant's obvious duty to bring the man before the District Inspector in order that the truth of his statement might be examined. For failing to discharge this duty, and for making improper remarks in an official report, the sergeant was reprimanded, but no other punishment was inflicted. This was done by order of the Inspector-General and not of the County Inspector.

MR. P. MEEHAN: Is the right hon. Gentleman aware that this sergeant did report to his superior officer within an hour after receiving the statement?

*MR. SPEAKER: The hon. Member is putting a large number of supplementary Questions to-day. I think he should give notice of them.

MR. REDDY: Was not this sergeant punished because he did support Thompson's statement, which proved to be false?

MR. BIRRELL: No, Sir.

Waterford Evicted Tenants.

MR. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the cause of the delay in reinstating Mr. Carrigan, member of the Waterford County Council, in his holding on Lord Ashtown's county Waterford estate, from which he was evicted; did the Estates Cammissioners take compulsory powers with the view of acquiring this farm from which Mr. Carrigan was evicted; and has Lord Ashtown resumed planting with timber a portion of Mr. Carrigan's farm.

MR. BIRRELL: The Estates Commissioners have decided that the lands formerly held by Mr. Carrigan cannot be compulsorily acquired under the Evicted Tenants Act.

MR. POWER: Is the right hon. Gentleman aware that this evicted tenant has had no opportunity of explaining his case? Will he inquire into it?

MR. BIRRELL: Yes, Sir.

Luggacurran Untenanted Land.

Mr. P. MEEHAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether he can give the date on which the Estate Commissioners paid Lord Lansdowne the agreed price for the Luggacurran untenanted land purchased by them; how long did the Estates Commissioners retain these lands before distribution; what did the expenses of management and payment of local rates and taxes amount to, if any; on what date or dates did the evicted tenants receive their vesting orders; whether he can say what has been done with the one-quarter per cent. difference between interest and purchase annuity paid pending receipt of the vesting order; has it been credited to the buyer; and, if not, will he say why this was not done.

Mr. BIRRELL: The Land Commission inform me that the purchase money in this case was paid to the vender on the 15th December 1905. The evicted tenants had been put into possession on 11th July, 1905, and the lands were in most cases vested in them on the 5th April 1906. An exception was necessarily made in those cases in which the Commissioners had sanctioned advances for improvements repayable as part of the tenants' annuities. In such cases the lands were not vested until the expenditure on improvements was complete, otherwise the tenants would have been paying annuities calculated on advances which had not been fully made, instead of which they were charged interest to the date of vesting on the price of the lands only. No payments have been made by the Commissioners in respect of management or of local rates and taxes in the case of this particular estate. As regards the concluding portion of the Question, I would refer the hon. Member to my reply to the Question asked by the hon. Member for South Kildare on the 30th November.

Boyton Estate, Donegal.

Mr. C. MACVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of tenants on the Boyton Estate, Tullydonnell, County Donegal, who have purchased their holdings, the average area of them, the Poor Law valuation, and the number of years purchase; and whether he can say what number of the smaller tenants on the estate refused to purchase on the terms demanded by the owner, the average area of their holdings, the Poor Law valuation, and the number of years purchase demanded from them.

Mr. BIRRELL: The Estates Commissioners inform me that agreements have been lodged for the purchase of 185 holdings on this Estate. The average area of these holdings is 23 acres, the average Poor Law valuation is £12, and the average number of years purchase agreed to is 23·3. The Commissioners are unable to furnish the information asked for in the concluding portion of the Question, as the Estate has not yet come to be dealt with in its order of priority.

Boycotting at Newtownforbes.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the case of a Protestant and loyalist farmer named Robert Geelan, of Currygranny, Newtownforbes, County Longford; whether he is aware that Mr. Geelan has been boycotted for some months past because he refused to become a member of the United Irish League or to subscribe to a fund collected locally by the league for the defence of cattle-drivers, that he has been unable in consequence to buy or sell cattle in the local markets, and has been compelled to obtain provisions from Belfast; and whether any action has been taken by the Crown to afford relief to Mr. Geelan from this system of organised boycotting.

Mr. BIRRELL: My attention has been called to the case of Robert Geelan, who is boycotted. The police are doing everything in their power to protect and assist Mr. Geelan, and the question of a prosecution in connection with the case is under consideration.

Kilkenny Magistracy.

Mr. MEAGHER (Kilkenny, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Catholic population of the County Kilkenny at the last Census was 74,830, or thereabouts, and the population of Protestant and other religions was but 3,747, making but one-twentieth of the population, that the number of Catholic magistrates is forty-six as compared with seventy-five Protestant magistrates, and that out of the nineteen deputy-lieutenants of the county there is but one Catholic; and whether he will see his way to have an equitable number of Catholic magistrates appointed for the county.

Mr. BIRRELL: The Catholic population of the county of Kilkenny at the last Census is correctly stated. The number of persons who were not returned as Catholics was 4,329. There are 125 magistrates on the roll for the county, of whom sixty-nine are believed to be Protestants and fifty-six Catholics. Since the present Government came into office twenty-eight magistrates have been appointed, of whom nine are Protestants and nineteen Catholics. There is no official record of the religions of deputy-lieutenants.

Synan-Dillon Estate, Limerick.

Mr. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say how matters stand on the Synan-Dillon estate in Carnane, Fedamore, County Limerick; has it yet come regularly from the hands of the Judge in the Chancery Court to the Estates Commissioners; and, if so, how soon may a division of it be made in favour of the people of the surrounding district, which is a really congested one.

Mr. BIRRELL: The Estates Commissioners inform me that their offer to purchase this estate was accepted on 27th October last, and the case is at present in the hands of an inspector with a view to the preparation of a scheme for the distribution of the lands.

Cooper Estate, Limerick.

Mr. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Hatte, head clerk in the office of Mr. Robert Sanders, land agent, of Charleville, who alleges he has a genuine tenancy of the evicted farms of John McGrath and the late Thomas Barry on the Cooper estate, near Knocklong, county Limerick, on a recent occasion offered to surrender the tenancy of whatever kind it may be if the Estates Commissioners gave him £200 compensation; and will the Estates Commissioners arrange with Mr. Hatte, so as to lead to the restoration of their evicted farms to John McGrath and the representatives of the late Thomas Barry.

Mr. BIRRELL: Purchase agreements have been signed by Mr. Hatte as tenant in occupation of the holdings of this estate formerly occupied by McGrath's father and the late Thomas Barry, and the question of the tenancies under which he holds the land will be inquired into by the Estates Commissioners when they are dealing with this estate. The Commissioners are not aware that Mr. Hatte has offered to surrender the holdings on receiving the sum referred to.

Mr. LUNDON: Does the right hon. Gentleman consider Hatte a suitable tenant?

Mr. BIRRELL: I know nothing about him whatever.

O'Grady Delmege Estate, Limerick.

Mr. LUNDON: To ask the Chief Secretary to the Lord-Lieutenant of Ireland, if he can say how matters stand at present as to sale and purchase between the O'Grady Delmege and his tenants around Knocklong and Glenbrohane parishes; have the Estates Commissioners taken, or do they intend to take, any action to test the bogus tenancies on the Garryspillane farm of 145 Irish acres, whereby facilities are afforded to graziers and ranchers to utilise those fertile lands for their flocks and herds, to the exclusion of tenants around having uneconomic holdings and of poor farmers' sons and other landless people.

Mr. BIRRELL: The Estates Commissioners have no knowledge of the negotiations which may be proceeding in the case of this estate. No proceedings for sale have been instituted before them.

Clonmel Intimidation Prosecution.

Mr. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the case of a man named Meagher, who was accused at Clonmel on Saturday, before Mr. H. Turner, R.M., of disorderly conduct and intimidating Mr. C. N. Clarke, and who was not allowed to call witnesses in his defence although he protested his innocence, and was sentenced to three months' imprisonment in default of finding bail; and whether, seeing that if this man had been prosecuted under Section 2 of the Criminal Law and Procedure Act he would have had the right to call witnesses in his defence and would also have the right of appeal, he will explain why proceedings against him were not taken under this Act.

MR. BIRRELL: It is the fact that the defendant, though clearly identified, protested his innocence, but he produced no witnesses and did not ask for any adjournment to procure witnesses. The question of receiving evidence in such cases is one for the Court to decide. It is not the practice of His Majesty's present Government to institute proceedings under the Crimes Act.

Longford United Irish League.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been directed to the reports of illegal proceedings at various meetings of the Longford and Clonguish branches of the United Irish League, reported from time to time in the *Longford Leader* newspaper, of which the hon. Member for North Longford is the proprietor, in furtherance of the boycotting of Mr. Robert Geelan and in condemnation of other persons for associating or dealing with him; whether he is aware that so recently as the 21st November the same newspaper published a report of a meeting of the Longford branch of the league, on which occasion a charge against a man named Nevin for buying a quantity of apples from Mr. Geelan was investigated, with the result that Nevin apologised to the league for his action, and undertook to have no further dealings with Mr. Geelan; and whether the Government propose to give effect to the warning already communicated to the proprietor of this newspaper by the institution of proceedings for the continued publication of illegal matter.

MR. BIRRELL: I would refer the hon. Member to my reply to his Question of yesterday on this subject.

Sligo Cattle-Drive.

SIR F. BANBURY (City of London): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it has been reported to him that four bullocks driven off the farm of Carrowmore, in the Geevagh district, County Sligo, on the night of the 11th November, were found next day sunk in a bog hole; that two of the animals were completely blinded in both eyes, apparently by the blows of sticks, that one was blinded in one eye, and the fourth was badly injured in the hind leg, and that all had to be destroyed; whether he is aware that the Misses Frazer, two elderly maiden ladies, who own this farm, have been boycotted by resolution of the Geevagh branch of the United Irish League, and while persons were prohibited from taking the grazing on the Misses Frazer's property under the advice of the League several persons drove their cattle on to the lands, and proceedings had to be taken against them for trespass; and whether any criminal proceedings have been, or are to be, instituted against the persons responsible for these outrages.

MR. BIRRELL: I have already stated, in reply to a Question asked by the hon. Member on the 26th ultimo, that these four bullocks were driven off the farm in question on 11th November, and found in a bog hole. When found two of them were completely, and one partially, blinded apparently by blows of sticks. The four were sold for £16. The ladies who own the farm have been partially boycotted, and various persons have been deterred from taking grazing from them. Cattle have repeatedly been found trespassing on their lands, which are unfenced, and civil proceedings were recently taken against some of the owners. No criminal proceedings have been instituted, as the police have not yet been able to obtain the necessary evidence.

SIR F. BANBURY asked why these particulars were not forthcoming when he put the Question on November 26th, and would the right hon. Gentleman take steps to prevent such gross cruelty to animals in the future?

MR. BIRRELL: I gave all the information I had at the time. As to taking steps to prevent this atrocious cruelty, if the hon. Baronet can give me any information he may rely I will act on it.

MR. CREAN (Cork, S.E.): Is this farm situated in the City of London?

Irish Newspapers and Intimidatory Resolutions.

Mr. BARRIE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the continued publication of resolutions of an intimidatory character notwithstanding the warnings communicated to the proprietors of the newspapers in which such resolutions are published; and will he state if it is proposed to take any further action in the matter.

Mr. BIRRELL: I would refer the hon. Member to my reply to a similar Question asked yesterday by the hon. Member for Mid. Armagh.

The Small Holdings Act.

Mr. MORRELL (Oxfordshire, Henley): I beg to ask the Prime Minister whether his attention has been called to the fact that, although the Small Holdings Act has been in operation for more than eleven months, and although there is in most counties an unsatisfied demand, no reports have yet been forwarded to the county councils by the Board of Agriculture as provided by the Act; whether he is aware that under Section 2 (3) of the Act it is the duty of the Commissioners, after they have ascertained the extent of the demand, as they are required to do, to report this information to the Board, stating whether it is desirable that a scheme should be made, and that under Section 3 (1) of the Act it is the duty of the Board to forward this report to the county council concerned, and that the only reason which can be given, either by the Commissioners or the Board, for not carrying out these statutory duties is that they are not of opinion that it is desirable that a scheme should be made, which presumably is not always the case; whether he is aware that the forwarding of such reports is a necessary preliminary to any action by the Board and the only effective means by which the Board can supervise the working of the Act, and that the failure of the Board to exercise their powers in this respect has caused hardship to many applicants, both by the indefinite postponement of the preparation of schemes and by the loss of any effective right of appeal from the county council to the Board; and whether he will cause further inquiry to be made with a view to enforcing, according to their plain meaning and intention, the provisions of this Act.

The PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. Asquith, Fifeshire, E.): I understan that the Board of Agriculture regard the procedure in question as coming within the default provisions of the Act, and therefore no action has yet been taken in the direction desired by my hon. friend. I propose to discuss the matter with my noble friend the President.

Liverpool and Hong Kong Mail Service Contract.

Mr. HAROLD COX: Is it intended to take this contract to-night, and is the Prime Minister aware that it violates the pledge given by his predecessor that no subsidy should be given except in return for services?

Mr. ASQUITH: I am not aware of the last suggestion of my hon. friend.

PUBLICATIONS.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 358.]

POISONS AND PHARMACY BILL. [Lords.]

Reported, with Amendments, from Standing Committee A.

Report to lie upon the Table, and to be printed. [No. 359.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 359.]

Bill, as amended (in the Standing Committee), to be taken into consideration to-morrow, and to be printed. [Bill 400.]

MESSAGE FROM THE LORDS.

They have agreed to: Local Authorities (Admission of the Press) Bill, with Amendments.

That they have passed a Bill, intituled, "An Act for further promoting the

Revison of the Statute Law by repealing enactments which have ceased to be in force or have become unnecessary." [Statute Law Revision Bill [Lords].]

STATUTE LAW REVISION BILL. [LORDS.]

Read the first time; to be read a second time to-morrow, and to be printed. [Bill 403.]

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Lords Amendments to be considered upon Monday next, and to be printed. [Bill 402.]

NEW BILLS.

PUBLIC MEETING BILL.

"To prevent the disturbance of public meetings," presented by Lord Robert Cecil; supported by Mr. Rawlinson, and Mr. Byles; to be read a second time To-morrow, and to be printed. [Bill 401.]

FIREARMS (SCOTLAND AND IRELAND) BILL.

"To regulate the sale of Firearms in Scotland and Ireland," presented by Mr. Jesse Collings; supported by Sir Benjamin Stone, Mr. Ernest Lamb, Mr. Parks, Viscount Morpeth, Mr. Watt, Sir Francis Lowe, Earl Winterton, and Mr. Middlemore; to be read a second time upon Thursday next, and to be printed. [Bill 404.]

COAL MINES (EIGHT HOURS) (No. 2) BILL.

As amended (in the Standing Committee), further considered.

*MR. LUPTON (Lincolnshire, Sleaford) moved to amend Clause 1 (Limit of hours of work below ground in coal mines) by inserting the words "in his place of work," with a view to further Amendments to limit the eight hours to time in the miners' actual working place. This Amendment was necessary not only in the interests of fairness between one man in a mine and another man in the same mine, but also in the interests of fairness between different mines. Some hon. Members in the House were, no doubt, aware that a coal mine was not simply a little hole like a coal cellar, but was a large place having railways many miles in extent, perhaps thirty or forty miles of underground railways branching in various directions from the bottom of the shaft. In some of the mines it might take an hour to get from the pit bottom to the working place, and in others it might take not more than five or six minutes. Under the Bill as it now stood, a miner who got to his working place in five minutes had very nearly eight hours work per day for the first three years, and after that he would have seven and a half hours work, but the miner who had to go something like two miles away from the pit bottom would not have more than six hours in his working place, and perhaps only five and a half hours. There would be a great disparity therefore in the earning power of the man who was working near the pit bottom, as compared with the earning power of the man working away from the pit bottom, and where the wages of the men were, say, 12s. a day it might make a difference of 3s. or 4s. a day in the earnings of the different workmen. He was aware that in some parts of the United Kingdom it was the practice of the men to change from one part of the mine to another at the end of a month or two months, so as to give each man a fair chance of getting a good working place, because some working places were better than others. That had not been carried on, however, in all parts, nor indeed in the majority of places. In the majority of places in the United Kingdom, according to the present practice of the working men, the man who had got a place kept it until it was finished. It might be for years that the same men were in a place. Those men near the shaft bottom had thus a great advantage. But if the time allotted under the Bill were the time in the working place, then each man would have the same time in the working place. It did not matter whether the Bill specified six or eight hours in the working place. He was merely now on the question of making fair time between the different men in different parts of the pit. It ought to be fair all round. If it was not fair all round he was afraid there would be a great deal of heart burning and disturbance. He noticed when he mentioned 12s. that some hon. Members seemed to sneer as though that were excessive, but he had got out some figures this year in which he found that the earnings of miners in some cases were equal to 30s. a day in one shift. There were miners, of course, some who only earned 8s. a day, but he thought the majority of good men (coal getters) could earn 12s. He did not say rapscallions did that, but there were not many rapscallions in mines. He wanted to be fair to all the men working in the same pit, and he also wanted to be fair as between one pit and another. The effect of the Bill as it at present stood would be to cause the most undue favouritism. The man who had a new colliery fitted up with all the recent appliances in the way of winding machinery and so on could get his men to their places of work in a few minutes from leaving the bank. There were a number of collieries now started where the men would be got to their places of work in about ten minutes. These men would have a good time in which to do a fair day's work, but in the old collieries that would not be the case. The men there would only have six hours in their places of work. He did not say they would have six hours work, because something had to be taken off for refreshments and rest. The effect of the Bill if passed in its present form would be to ruin some collieries and to make the fortunes of others. As soon as the Bill was passed the men would all tend to crowd to the new collieries where they could get to their places of work immediately, and so earn better wages. The managers of those new pits would have men waiting to come on, and they would be able to turn out more coal than ever before. Their cost, too, would be less than before, because they would be able to send out more coal, and they would make enormous fortunes, while at the same time in the old collieries where the men had to march two miles, and even three miles, and where they could not travel by train, things would be very bad. In the old collieries it did not pay to make the necessary improvements. In order to convey men in a train underground, they had got to lay a first-class railway with every possible care before they dared to run the men in a train at seven, eight or ten miles an hour, although he knew that that would be rather an unusually high speed for underground travelling. For that purpose the road must be first-class, but in a great many of these old mines it would not pay to make an excellent and well-engineered road like that, and, therefore, the men had to walk a long way to their work. The men would, so far as they could, leave those old pits. A man who would only be in his working place for six hours a day, and perhaps only for five hours work a day, would be sure to leave if he could in order to try and get a place at a colliery where he could be for seven and a half hours in his working place. The Bill would undoubtedly ruin many scores of collieries. It would mean their closing, and the villages near by would be ruined, the old people would go on the poor rate, and the young people would migrate to the new collieries. Hon. Members smiled and cheered, but they did not care twopence halfpenny about it, but he was telling them the facts of the case which he knew would happen. There would be scores of collieries ruined by the unjust provisions of the Bill. Hon. Gentlemen must remember that he was not now on the question of hours. He was on the question of making it fair between one colliery and another, and if they were to have fairness the time ought to be fixed not from the pit top and back to the pit top, but in the working places, and then it did not matter whether the working place was far from or near to the pit bottom. When the question came up before the Committee the Secretary of State referred to this point, and with his great knowledge of underground mines assured him that what he proposed to do was absolutely impossible. Now he had been a colliery manager himself, and he had had to grope about in a mine, and, therefore, he thought he knew something about the practical working of a mine. He was prepared to pledge his honour as a mining engineer and a colliery manager that it was possible to time with sufficient accuracy how long a man was actually in his working place. They travelled along the main road of a mine for a mile, and then they came to a junction where the roads branched out in all directions, and that would be called the station. They frequently had stations where lamps were examined or re-lighted, or where communications could be made with the officials and others who were a long way from the pit bottom. There was not the slightest reason why every man should not be reported at that station as he passed it in going to his place of work. It did not matter what kind of work he was engaged in, he must pass the station if he worked in a remote part of the pit. With regard to those who worked near the pit bottom, of course the nearest station would be the pit bottom. At the station he assumed there would be a clock or a watch kept. It had been suggested that miners did not know anything about clocks or watches, and that only the man on the pit top knew the time of the day. His experience was that miners were not men of that sort; on the contrary, they were exceedingly clever men, and to say that they would not be able to tell when they passed their station what was the time was doing them a great injustice. It would be known in the mine to a minute how long a man should be going to his working place. Supposing, for example, it took ten minutes from the station. That would mean ten minutes to his place of work, and ten minutes back again, and they must add, therefore, twenty minutes to the time he was allowed after leaving the station. In the case of an eight hours day he would be allowed, in the instance he had mentioned, eight hours and twenty minutes from the station. If hon. Members were afraid that this proposal would cause a man to be too long in his working place, by all means alter the hours. All he wanted was that the regulations should work equally in all collieries. He was sure that before three years had passed some of the colliery owners would be ruined under this Bill, whilst others would make enormous fortunes. He thought he had now stated the case quite sufficiently, and he saw no difficulty whatever in carrying this Amendment into effect. He felt quite sure that the owners of collieries and managers would be found quite willing to work this scheme. In any case whether they accepted the Amendment or not they would have to have extra officials to see that the colliers were not more than the Parliamentary time in their working place. If hon. Members had read the Bill carefully they would find that it said that a man should not be allowed to be below ground for more than a certain time. How were they going to get the man who worked two miles away from the pit bottom there and back again in the fixed time? They would have to have someone going round to see that those men did come out at the proper time. He should have an official ordering the men out at the time which he knew he must leave his working place, in order that at his ordinary pace he might get at the pit bottom, and reach the pit top at the proper time. Even all the difficulties that were anticipated from giving effect to his Amendment would have to be met for the purpose of carrying out the provisions of the Bill. There would be all the expense and difficulty of clearing the men out of their working place and driving them away like sheep. For the reasons he had stated, he did not think there would be any difficulty in carrying out the Amendment. In order to secure the equal working of this clause he hoped the House would adopt his Amendment.

Mr. BECK (Cambridgeshire, Wisbech) said he should not attempt to address the House at any length after the comprehensive and well-reasoned speech in which his hon. friend had moved the Amendment. As hon. Members were aware, they had this question discussed upstairs at great length. He thought those who sat on that Committee would agree that not a single reasoned argument was brought forward against the Amendment. Not a single argument was brought forward against the contentions they made in the Committee on that point. His hon. friend the Member for Sleaford did not touch upon one point of hardship in the present method of timing under the Bill—he referred to the case of the older men. As far as he knew, judging from the Bill, it would be necessary for the men going to their place of work to indulge in a sort of foot race in order to earn as much money as they possibly could in the eight hours allowed to them. It had been pointed out that in that foot race the older men would be much handicapped; they would be forced to travel faster than their usual pace, or they would be fined for their age, because they would arrive at their place of work late, and consequently, they would be able to earn less money. It was said in the Committee upstairs that travelling underground was a form of hard work and ought to be counted in the eight hours, but although travelling underground was hard work unfortunately it was not paid for, and he contended that it was a great hardship, not only on the older miners, but on the men working the older pits that this hard and fast rule should be laid down of eight hours from bank to bank. They heard yesterday a great deal about the subject of safety. It was, unfortunately, quite true that this hurrying to work had led to many avoidable accidents. For these reasons he begged to second the Amendment, and if his hon. friend pressed the matter to a division he should have great pleasure in supporting him.

Amendment proposed—

"In page 1, line 6, after the word 'mine,' to insert the words 'in his place of work.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): As my hon. friend has already stated, this question was fully discussed in Committee, and this Amendment was rejected by a majority of thirty-six. The hon. Member for Windsor voted against this Amendment which every practical man knows to be hopelessly impossible from the point of view of practice. The hon. Member for Sleaford has pictured all kinds of evils which will follow if his Amendment is not carried, but he omitted to tell the House that under the present system a good many inequalities occur in all mines. As a matter of fact, it would be absolutely impossible to work the Bill with this Amendment. We should have to have a time-keeper in every working place, and how are you to say when a man arrives at a working place and what time he leaves? Whatever may be said against this Bill, one thing is certain—and this is admitted by the members of the Coalowners' Association, mining engineers and managers—that whether right or wrong in regard to this proposal the machinery provided for carrying it out is the only possible machinery that can be adopted, and it would be ruined if this Amendment were carried.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he had much pleasure in supporting the Amendment. The hon. Member for Sleaford was an expert in these matters. [Cries of "Oh, oh."] The hon. Member was an expert and knew more about this matter than any other man in the House, and he supported his Amendment for the reasons he had stated. As the hon. Member knew, mines differed considerably. In the case of a new mine where a man had perhaps to walk only a few hundred yards from the pit bottom, he would get to his work almost immediately. In another case a man might have to walk two or three miles before he got to his place of work, and if he happened to be an old man it was very hard upon him to include that period in the working time he was allowed under the Bill. Not only did mines vary one from another, but they varied even in the same pit. The hon. Member who seconded the Amendment referred to the matter of safety. A man who had had to hurry a long distance underground before he got to his work could not be in the same condition to do his work as a man who had had to go a short distance. As hon. Members were aware, most of the fatal accidents in mines occurred through falls of the roof which could be prevented by proper timbering. If a man was hurried in his work, and had not sufficient time to put up the necessary props to keep the roof up, that was a distinct danger which would involve the mine, and th t was what would happen if a man had not sufficient time to get to his work and set his timber properly. The Government said that there might be some difficulty in keeping a record which would enable this proposal to be put into operation. There might be some difficulty, but that was not their fault. This was a Government Bill, and the Government must provide the remedy. This was a hardship between man and man and between mine and mine, and some remedy for it ought to be found.

*Mr. RIDSDALE (Brighton) said he noticed that the Home Secretary had just said that no serious argument had been advanced by the hon. Member who moved or the hon. Member who seconded the Amendment. He was in some doubt as to what constituted a serious argument in the mind of the right hon. Gentleman. He did not know whether he implied that his two hon. friends were not serious in regard to this Amendment.

Mr. GLADSTONE: Oh, no.

*Mr. RIDSDALE: Did the right hon. Gentleman not consider it a serious argument that this Bill as its clauses were drafted would lead to injustice between man and man and mine and mine? Was it not a serious argument when his hon. friend behind him said that if they did not make the Bill read so that the time must be that which a man was at work they would largely increase the risk of accidents? Was not that a serious argument? He thought it was one of the most serious arguments that could be put forward. When he first considered this Amendment he did not think it was quite workable, and he thought that it must be necessary to count the time that the man spent down the mine. He did not think, however, that even the most serious advocates of the Bill considered that it was difficult to get a man down the mine to his work. He had listened on the Second Reading to the statement that the miners had to work in a position which seriously strained their muscles, and which was most uncomfortable. A very strong case could be put forward on that line, but that would be met by the Amendment. He really could not think that the House would join in a limitation of time that a man was to be allowed to move about underground.

Mr. Samuel Roberts.

Mr. JOSEPH WALTON (Yorkshire, W.R., Barnsley) asked his hon. friend how he would like to travel a couple of miles underground?

*Mr. SPEAKER: The hon. Member is not in order in asking a question of that kind in the middle of a speech.

*Mr. RIDSDALE said he should not have risen at all if the Home Secretary had not said that he did not see any serious argument in favour of this Amendment.

Lord R. CECIL (Marylebone, E.) said that he was a great admirer, a converted admirer, of the system of Grand Committee, but it seemed to him that it led to very serious difficulty. The Minister in charge of a Bill became so familiar with all the arguments for and against everything connected with the Bill that when the Bill came down to the House he did not think it worth while to explain matters or to try to convince the House. It might well be that the Amendment of the hon. Member for Sleaford was a quite impossible Amendment which the House could not adopt. But the discussion, so far as it had proceeded in the House of Commons, did not in the least convince him that that was the case. What did it all come to? Certain arguments of great weight had been put forward by the mover and seconder of the Amendment. The Home Secretary had got up and said that the matter had been threshed out in Grand Committee. That was not a matter which very much concerned him, as a Member of the House of Commons. He desired to make up his own mind apart from what had taken place in Grand Committee. Then it was said that precisely the same difficulties as those which had been pointed out must exist in mines where an eight-hour system now existed, but surely there was a great difference between an eight-hour system as a matter of freedom and an eight-hour system imposed by law. There was much greater power for making arrangements to meet a hard case under a voluntary system. It was said that the Amendment was impracticable, and that every person who knew anything about it would say that it was impracticable. That was an argument which he profoundly distrusted, for unless anybody could explain to him why it was impracticable, he was not content to take a statement of that kind. If it was impracticable it ought to be perfectly easy for experts to explain why it was impracticable. He could not see why the hon. Member's suggestion, which he said was the fruit of great personal experience, could not be carried out. He did not see why they could not make an allowance for the time a man took in getting to and from his working place, or why they should not assume a time allowance quite easily, which would be perfectly fair. Unless some modification of the Bill was made in that direcion it was clear that they would greatly handicap the older workers. This was the one point on which he had never been able to understand the attitude of hon. Gentlemen below the gangway. In so much of their legislation they seem to ignore the older people. That was the case with regard to the Workmen's Compensation Act. Everybody knew what a bitter misfortune that Act had been to some of the older workers, and there would be a similar result from the passing of the present legislation. It appeared to him that hon. Members below the gangway naturally considered their own trade union supporters, who were necessarily mainly men in the prime of life and that they must be naturally biassed in favour of that type of worker. It was for the House and for those who were impartial, who had no interest either as coal masters or coal miners, to try and see that the balance was kept between the most able people and the least able type of worker. It was clear that unless some change was made in the Bill the older workers would be handicapped. That was a very good reason for making a change.

SIR F. CAWLEY (Lancashire, Prestwich) said he was a supporter of the Bill, but he should like a better explanation why the Amendment could not be accepted. The proposal in the Amendment for which the hon. Member for Sleaford had made out such an excellent case was one about which they ought to have a satisfactory explanation from the Home Secretary. That explanation should be one which would convince any intelligent person that the right hon. Gentleman was right. He agreed with the noble Lord that if the provisions of the Bill were going to ruin the older workers it was not so good a Bill as he thought it was. He thought the House ought to have some better explanation than had yet been given.

MR. HICKS BEACH (Gloucestershire, Tewkesbury) said that some further explanation was required from the Government why this Amendment could not be accepted. They had had the expert opinion of the hon. Member for Sleaford, who with a life-long experience as a colliery manager had stated that the Amendment was quite practicable. The Home Secretary had told them that the Amendment was impracticable, but neither upstairs in Committee nor to-day in the House had he given them any reason to convince them that he was right. He thought the discussion had made it clear to the House that the Bill, as the hon. Member who had just sat down had said, was an even worse Bill than they thought it was on the Second Reading. It was clear that unless an Amendment of the kind proposed was passed the Bill would have a very serious effect, not only on the old collier but on the old collieries. In the old collieries the coal was a long way from the pit shaft and they would therefore be severely handicapped. He thought the opinion of the House and of the country was that proper attention ought to be paid to the old collieries as well as the new, and if the Bill would have a very serious effect on the old collieries and the old colliers the Government ought to do something.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): May I say a few words on this point? It will not take more than a few moments to explain it. If you say by an Act of Parliament that a man is not to be in his working-place for more than eight hours you must necessarily mark the time he goes into his wor-kplace, and the time he remains there, otherwise it is impossible to carry out the Act. Unless indeed you provide that each man should go down at a different time from the top. One shall go down at 6 o'clock who has a longer distance to go, and one shall go down at 6.30 who has a shorter distance to go. All that is utterly impracticable. It is administratively impossible. Almost every member of the Committee who had experience of coal mines, no matter whether he approved of the principle of the Bill or not, voted in Committee upstairs against this Amendment. At the present time the hours of going down are fixed and well understood, and so also are the hours of coming up; and none of these difficulties suggested by the hon. Members occur.

MR. STUART WORTLEY (Sheffield, Hallam) said that the humourous situation was that the right hon. Gentleman was evidently aware that he was heaping condemnation after condemnation upon his own Bill. It was evident that they could not work the Bill without some impractical provision noting the time when the men went down into the pit and when they came up. That showed that the whole Bill was unworkable. The right hon. Gentleman had bound himself to the opinion that it was not unworkable; but if the Amendment was incompatible with one of the objects of the Bill, so much the worse for the Bill.

*SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean) said he wished to ask whether the hon. Gentleman who moved the Amendment was in a position to name any proprietors or managers of mines in the West of England who were in favour of the Amendment, and whether he spoke with the authority of proprietors or managers of any mines in the West of England.

MR. HICKS BEACH: I have received a communication from one manager.

*SIR CHARLES W. DILKE: But the hon. Member is not in a position to say that any proprietor or manager of a colliery in that part of the country desires this Amendment?

MR. HICKS-BEACH: I do not know about this particular Amendment.

*SIR CHARLES W. DILKE said that, as he understood it, nobody desired this particular Amendment. With regard to its impracticability, the House did not seem to remember that a great many of the men were employed all over the mine, and not in one particular place in the mine.

SIR F. BANBURY (City of London) said the right hon. Baronet had asked whether any proprietor or manager of any coal mine in the West of England was in favour of this particular Amendment, and had said that the hon. Member for Tewkesbury was not in a position to give the names of such proprietor or manager, and that, therefore, the Amendment ought not to be discussed. They were not there to consider the interests of any particular mine-owner or manager. That was an error into which many hon. Gentlemen fell. The object of the House of Commons was to legislate in the interest, not of one class or another, but of the public as a whole. He was a member of the Grand Committee, and he thought he attended its meetings regularly. One thing that impressed itself on his mind during his attendance at the Committee was that the work in the mines varied tremendously in different parts of the country. In some collieries it took a man at least an hour to walk from the bottom of the shaft to the working face. In the newer class of mines it took him only a quarter of an hour or even less. Unless something of the sort proposed by the Amendment were done, in certain collieries one man would take two hours going to and from his work, and in another colliery he would take only half an hour. In certain collieries, therefore, the workman would be handicapped much to his own detriment, and in other collieries he would have an advantage over those employed under the old arrangement. That should not be allowed. Again, there was the question of the older men. He challenged any practical Member in the House to get up and say that unless something of the sort suggested by the Amendment were allowed, the older men would not get their full share of the work, and that they would run a risk of accident which might be avoided if such an Amendment were carried. He came to the point as to whether the suggestion in the Amendment was practicable or not. No doubt there were difficulties in the way. His hon. friend was quite right when he said that the Government had a fear in their own heads of showing the absolute impracticability of their own measure. He admitted that while the Amendment would be difficult to work, yet he thought it would not be impossible. He understood the right hon. Gentleman to say that it would be wrong to impose a penalty on a mine-owner for allowing a man to work more than eight hours a day and at the same time to take a note of the time he was in the mine. But why should he not relieve the mine-owner from the penalty altogether and leave the law in this position, that the man who contravened the law should be punished? He thought if that were done they could trust the trade unions to see that the miners did not contravene the law. He did not see why a regulation of that sort should not be put into the Bill. He was sure of this, that the people of the country would agree that without some such provision it would be impossible to work the Bill if it became an Act.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said he did not know what object hon. Members had in view in making those remarks. It was obvious to a practical man that most of the remarks were made to make an eight-hours day simply a name and not a fact. He was willing to believe that Members were talking as they were because they did not know the subject. He was generous enough to do that.

MR. LUPTON: Thank you.

MR. WILLIAM ABRAHAM asked hon. Gentlemen who was most likely to do his work well and in the least time—the man of forty years experience or the man with forty days experience? The older man was more likely to take care of his life, as against the inexperience of a young man. One would have been thankful after the passing of the Workmen's Compensation Act if the older men had not been thrown over in some collieries. There were not in some colleries one-tenth the number of older men there used to be. They who had been trained to work with old men knew that the old men were more able to take care of themselves and did their work better than young men.

*MR. PARKES (Birmingham, Central) said he would very much like to be able to see the feasibility of the Amendment. If something of the kind could be introduced into the mines of the country it would be a very desirable thing; but there was not a mining representative or a practical miner who would say the Amendment was possible. This was a matter not affecting the principle of the Bill but of tinkering a detail, and of seeing whether the proposal was practised or not. Every manager would say that the whole thing was absolutely impossible. No real reason for it had been given. What was the difference in principle between getting two or three miles from the shaft to the working place under the old system and to a shorter distance under the new system? None whatever. He would like to know who would be responsible for reporting the time occupied by a particular man in getting to his work in a particular part of the pit. Would it be the inspector? Or would it be the man himself? If the inspector, how many inspectors would be required? If the man himself, would the colliery proprietor or manager be prepared to take the word of the man as to what time he got to a particular part of the mine? Both conditions were absolutely impossible so far as his experience went, and he had never heard any practical mine manager put forward the idea of the Amendment as a practical argument.

Question put.

The House divided:—Ayes, 49; Noes, 225. (Division List No. 441.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F.
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive

Carlile, E. Hildred
Cecil, Lord R. (Marylebone, E.)
Collings, Rt. Hn. J. (Birmingh'm
Cory, Sir Clifford John
Courthope, G. Loyd
Cox, Harold
Craig, Captain James (Down, E.)
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Harrison-Broadley, H. B.
Hill, Sir Clement
Law, Andrew Bonar (Dulwich)
Long, Col. Charles W. (Evesham)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Renwick, George
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Starkey, John R.
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Watt, A. Henry
Whitbread, Howard
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-

TELLERS FOR THE AYES—Mr. Lupton and Mr. Beck.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Ambrose, Robert
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barker, Sir John
Barlow, Sir John E. (Somerset)
Barnes, G. N.
Beale, W. P.
Bennett, E N.
Boland, John
Bowerman, C. W.
Brace, William
Brigg, John
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Carr-Gomm, H. W.
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Compton-Rickett, Sir J.
Cooper, G. J.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crossley, William J.
Curran, Peter Francis
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody (Bath)
Hall, Frederick
Halpin, J.
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hope, W. Bateman (Somerset, N
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kilbride, Denis
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Markham. Arthur Basil
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meehan, Francis E. (Leitrim, N.)
Meehan, Patrick A. (Queen's Co.
Menzies, Walter
Middlebrook, William
Murphy, John (Kerry, East)
Murray, Capt. Hn A. C. (Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Nannetti, Sir Henry
Norman, Sir Henry
Norton, Capt, Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Malley, William
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton)
Pickersgill, Edward Hare
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C. E. (Eidnb'gh, Central
Radford, G. H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Richards, Thomas (W. Monm'th

Richards, T. F.(Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, John (Lancashire)
Rutherford, V. H. (Brentford)
Samuel,Rt.Hn.H.L.(Cleveland)
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seddon, J.
Seely, Colonel
Shaw, Rt. Hon. T. (Hawick B.)
Sheehy, David
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thomas,David Alfred(Merthyr)
Thomson,W.Mitchell- (Lanark)
Thorne,G.R.(Wolverhampton)
Tomkinson, James
Toulmin, George
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John(Stoke upon Trent)
Ward,W.Dudley(Southampton
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White,Sir Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.Sir ThomasP
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

*MR. LUPTON moved an Amendment that the hours of work should be exclusive of "any periods of rest or refreshment duly authorised by the manager, not exceeding forty minutes in all." He said the Amendment received great attention in the Committee upstairs, and he could not help thinking that if the right hon. Gentleman would give the matter his kind consideration he would give great satisfaction, not only in the House, but throughout the country. A good deal had been said about the legislation in other countries, but in those countries where they had an Eight Hours Bill they also had the provision which he proposed, viz., that the time spent in rest or refreshment should not be included within the time mentioned in the Bill. It could not be said against the Amendment that the time allowed in the mine was too long, because they had not yet reached the time to be fixed, and all he said was that whatever time was fixed should exclude the time for rest and refreshment. Something had been said about humanity, and he brought this forward in the cause of humanity. Everybody knew it was not wise for a man to work for many hours without rest or refreshment. If they wanted to live to a good old age they should take a good meal in the middle of the day and after that a little rest. If they went to Staffordshire the miners in the mines there had been in the habit of having a right good dinner in the middle of the day, and a rest afterwards and some discussion. In all the mines a man got refreshment during his shift. A man who left his home at half-past four o'clock in the morning needed some refreshment, and in many cases the miners adopted the rule prevailing in France and took two breakfasts with them, a little one and a big one. A man took with him sufficient refreshment in order that he might have a little snack as soon as he got to his place of work, and then three or four hours afterwards he had the bigger meal which he required, as these men worked very hard. It was very hard work indeed for a man who was getting coal. This proposal would enable the men to get proper refreshment. The miners now were strong, lusty men, but they would not be able to do their work unless they were properly fed. The whole of the men at work, including the hauliers, ought to get some refreshment, and also the animals engaged—the ponies and others ought to be fed at proper intervals. What he suggested was that the period of rest and refreshment should not be counted in the day's work, which was very short. The time the hewer was in his working place would average seven hours, and he was giving him good value in saying that very likely it would be less—very likely it would be six and three-quarter hours, because a man had to be there ten minutes sooner to avoid little accidents and delays in getting to the pit bottom. He was putting it at more than it averaged. When a man got to his working place he allowed himself a rest, and in the six hours odd the man would want at least half an hour's rest, and he thought that he ought to have an opportunity of taking it for at least half an hour. If the right hon. Gentleman would not give him forty minutes he would take half an hour, and if he would not give him half an hour he would take twenty minutes. At all events, he trusted the Government would be able to foreshadow some Amendment. The time would be set by the manager and fixed for all men equally. It would be an extension of the time for a particular purpose, and it would be the business of those who had to carry the arrangement out to see that rest and refreshment were had during that period. He dared say the right hon. Gentleman in his reply would point out that nobody who knew anything about the mines could advocate such an Amendment as this, and that anybody who did so knew nothing whatever about the matter. When he heard that sort of argument he knew it was the best they had to offer; it reminded him of the old story of the instruction on a barrister's brief, "No case, abuse the plaintiff's attorney." If the right hon. Gentleman had any sound argument to bring against his proposal, he would advance it, and therefore he would sit down in order that the right hon. Gentleman might let them hear it.

MR. WATT (Glasgow, College) formally seconded the Amendment.

Amendment proposed—

"In page 1, line 6, after the word 'work,' to insert the words 'excluding any periods of rest or refreshment, duly authorised by the manager, not exceeding forty minutes in all.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE: I quite agree that there would be sound argument for this Amendment if it was found necessary or desirable to fix a particular hour for letting the men have this rest and refreshment, but I submit that this is a question for the men themselves.

MR. LUPTON: Then will you put it to the ballot to the men under this Bill?

MR. GLADSTONE: But I understand the argument is that it is desirable to make the miners strong and keep them strong, and I therefore assume that the hon. Member is moving this entirely in the interests of the men.

MR. LUPTON: No, in the interests of the nation. In the interest of the mine-owners and of the miners whom they employ, and of the nation for whom they work.

MR. GLADSTONE: Then the argument of the hon. Member for Sleaford is hardly a correct argument, because he said it was necessary to make and keep the men strong and healthy, and if that was the reason for this Amendment it is the men themselves who ought to be consulted. There is one construction of this Amendment, which is that it is moved in order to extend the working hours below ground under the Bill. But, if that is the intention, I say that that is a matter to be considered on its merits as to what the time underground should be. You cannot seek to extend the working hours by means of an Amendment of this sort unless the Amendment depends upon the consideration that it is in the interests of the men. If that is so, we clearly see that the whole argument in favour of it must be the welfare of the men. What happens now? If hon. Members look at page 27 of the Report they will see that the average meal-times all over the country in the various mining districts vary from thirty-one minutes to as much as fifty-five minutes in Lancashire and Cheshire. This is arranged now. I do not know, and I have not been informed, that it is possible to fix a definite time for meals in the mines. So far as I know, but I only speak with diffidence, because the hon. Member contradicts me so sharply——

MR. LUPTON: May I apologise for my sharpness?

MR. GLADSTONE: No apology is needed from my hon. friend, but I say it would be impossible to fix an hour. As a matter of fact, we have the meal-times arranged now between the employers and the employees at such times as those personally concerned, namely, the men, require according to the particular nature of their work. There are times when the hewers at the face are slack because they want to fire a shot or for some other reason, and they use those opportunities for taking their meals. I submit it would be impossible and certainly undesirable to provide a definite meal-time, having regard to the fact that a necessary meal-time is already provided to meet the convenience of the men personally concerned, and I therefore ask the House to reject this Amendment.

VISCOUNT CASTLEREAGH (Maidstone) said the right hon. Gentleman appealed to him because he had supported him on the last Amendment, which he did not think was a feasible Amendment. In this matter, however, he joined issue with him. One of the chief objections they had to the Bill was rigid conditions. He believed that if they gave a certain amount of latitude it would be to the advantage of all concerned, and that this Amendment would be a great boon. This was a practical Amendment, it was a matter which probably would not be made much use of, but nevertheless it was desirable to give this amount of latitude in the Bill.

SIR F. CAWLEY said that as he had a new clause down upon the Paper he desired to ask the Home Secretary whether he would be prepared to accept this Amendment in place of it. The right hon. Gentleman had said he considered that this was a question for the men themselves. He quite agreed that it was, and for that reason he put down the new clause which left it to be decided by the men whether there should be a period for rest and refreshment, and if so, how much that time should be. They might have a ballot on it in order to decide the point. He saw nothing impracticable in that. At the present time the practice varied in different parts of the country, in each of which they had different times. In the various places where the system existed different times were given for meals and there was no difficulty about it. If the men did not want any time for meals, then they could by ballot decide against it, and he could not see what objection the right hon. Gentleman could have to it.

MR. J. F. MASON (Windsor) said the right hon. Gentleman seemed to think of what would be the effect of putting the Amendment in the Bill as between the miner and the mine-owner. There was no difficulty now between the master and the miner in arranging the meal-time, because the managers saw no advantage in hurrying the men and therefore had no reason for not making the arrangement. But directly the Bill came into force it would give them an inducement to reduce the meal-time and to put difficulties in the way whenever the question came up. The only solution was that the time for meals should be entirely outside the eight hours.

MR. LAURENCE HARDY (Kent, Ashford) was of opinion that there was a question here not only for the men, but for the public, because a great deal of the support given to the Bill was given on the assumption that during all these hours work went on. If hon. Members looked at the Report they would see that the time suggested by the hon. Member for Sleaford was right, because the Report stated that the average time given for meals was thirty-nine minutes. He desired, however, to look at the Amendment from the point of view of the Home Secretary. The right hon. Gentleman said it was not practicable, but he submitted that it could be made practicable by applying the same system to it as was applied to subsections (3) and (4), which dealt with the time for lowering and raising men from the pit. It could be arranged in the same way. Those who served upon the Committee knew that this question of rest came up very largely in the course of the discussion. Evidence was given showing there was no difficulty in arranging this because there was a stoppage of half an hour when winding ceased, and the men were allowed to use that time for meals. Many experts gave evidence to the effect that that time was of great importance to the safety of the mine itself, and he thought it would be more necessary under the new conditions laid down by this Bill than under the old. He did not think that the proposal was impracticable, nor did he believe that the suggestion that it was impossible could be brought into the matter seeing that what had been done could be done again.

Mr. GLADSTONE: I did not say it was impossible. I said it would not be convenient or desirable.

Mr. LAURENCE HARDY said it certainly could not be said to be impossible, but he certainly understood the right hon. Gentleman to say that it would be difficult. He, however, could not understand why it should be difficult when it was done all over the country. The moment a limit was put at each end of the day the more necessary such a period became in order that greater pressure should not be placed on the men. This period of rest was necessary to men working under great pressure, and the practice of having a period of rest was almost universal in other countries. Even if the working hours should be reduced to something like six and three quarters, as had been pointed out by some hon. Member already, he thought it would be far better that the period should be agreed upon between the owners and the colliers and a definite line taken on that matter. He trusted that the House and the Government would treat the matter with less lightness than they seemed to do at the present time.

Mr. MARKHAM (Nottinghamshire, Mansfield) said the real object of the Amendment, which was very fully discussed in Committee by nearly all the Members present, was merely for the purpose of extending the hours of work, and they were simply having a repetition in the House of the discussion which they heard upstairs. Eighty per cent. of the miners took their food during the time of waiting for turn, or when there were difficulties, such as that of getting the coal out of the mine, which prevented them from continuing their work. Every miner had always a difficulty in getting coal away from the face, and during that particular period he usually found time to take his snack. It was said that when they got the eight hours day the whole of the mines would be disorganised. He himself had two mines where the men, instead of working nine hours worked eight, and when the change was made, instead of having half an hour, the men had twenty minutes during which the pit stood. In that twenty minutes the machinery was oiled, and the men did not experience the slightest difficulty in consequence of that period of rest in connection with their work. As he had said, the real object of the Amendment was to increase the working time, and he saw no reason whatever for introducing the method suggested by the hon. Member for Sleaford, who had no mandate to speak for the miners. When the hon. Member moved his previous Amendment, it was the laughing stock of the whole of the miners.

Mr. LAMBTON (Durham, S.E.) said the hon. Member who had just spoken, at the beginning of his speech, stated that the Amendment was for the purpose of increasing the hours of work, and afterwards he said that in his own mines the men had a period of rest. That seemed rather a contradiction in terms.

Mr. MARKHAM said there were certain classes of men besides the hewers of coal—those who were on the pit bank. These men had to take their food at a different time from the actual hewers, who took their food whenever they could get it.

Mr. LAMBTON said the Home Secretary had told them that in Cheshire the time given was fifty-five minutes. He did not object on principle to the Amendment.

Mr. GLADSTONE: It was the average time according to the Return.

Mr. LAMBTON agreed that there would be a great many difficulties and inconveniences under the Bill, but that was no sufficient reason for opposing the Amendment, which would be useful in the interests of the men. It was very injurious that the miners should have to take their meals in a hurry and that they should have no rest at all. The right hon. Gentleman must remember that the average fifty-five minutes was out of a ten and a quarter hours day which did leave some time to get coal. If they took fifty-five minutes off the eight hours, they would leave the miner very little time in which to gain his livelihood. He must do with insufficient rest and insufficient time for his meals. He thought the right hon. Gentleman on his own figures might give a little more attention and support to the Amendment.

MR. BOWLES (Lambeth, Norwood) said the hon. Member opposite had remarked that the object of hon. Members on that side of the House was to increase the hours of work, and he had described the Amendment as a mere subterfuge to effect that object. That was not really a fair commment. They had not yet come to consider what was the time to be fixed for work under the Bill, and it would be perfectly open to hon. Gentlemen opposite, who desired to do so, to move such Amendments as they might think necessary, at a later stage, when they came to consider the hours of working, so as to bring those hours into conformity with any idea that they might entertain on the subject. The object of the authors of the Amendment had been frequently stated; it was simply and solely to ensure that there should be guaranteed for the men who desired it, by agreement with the masters, a proper time for rest and food, which everybody must admit were absolutely essential if the ordinary heavy work of the mine was to be properly carried out, without grave detriment to the health and efficiency of the colliers. The Amendment was a reasonable one, and everything the Home Secretary had said, either in the House or upstairs, showed —though no doubt inconveniences arose in all such arrangements—that a proposal of this nature should be adopted in the interests of the men. It was an arrangement which, he ventured to suggest, was very common, and he believed practically universal. He considered that such an arrangement, which was an essential necessity, should be incorporated in the Bill, and if his hon. friend opposite went to a division he should certainly support him.

*MR. HERBERT SAMUEL said that if they wished to insert this proposal in order to secure a period of rest, it would require that means should be adopted to ensure that the forty minutes should, in fact, be occupied for rest and refreshment. That could not be done unless either each man was watched, or unless the whole colliery was laid idle for that time. This course might, indeed, be taken now in some few pits here and there. But it was not the custom of the country, and neither masters nor men desired it to be the custom of the country. If they did not lay the pit idle for forty minutes, and if they really wished to enforce this provision, they would have to watch every man to see whether he did occupy the forty minutes for rest and refreshment. If the Amendment were inserted it would simply be equivalent to substituting throughout the Bill eight hours and forty minutes as the period of employment, instead of eight hours. That would destroy the purpose of the Bill, and cause it to be of no effect in a great many districts in the country, and he could not think that any hon. Member, who in any degree accepted the principle of the Bill, could support this Amendment.

MR. SAMUEL ROBERTS said he should be prepared to support the hon. Member's Amendment if he would accept the addition of the words "at the men's request," because that would leave it to the men to decide by a majority whether they wanted the rest or not. If the hon. Member for Sleaford would agree to those words he should be prepared to support his Amendment.

MR. LUPTON: I accept that addition.

MR. SAMUEL ROBERTS moved to amend the Amendment by adding the words "at the men's request." The principal reason for the Bill was alleged to be that the miners in the various districts of the country were coerced to work longer hours than they wished. It could not be said that this proposal was coercion, because the Amendment would not impose the period of rest unless they desired it. If the men wanted the period of rest, why should they not have it? It was true that the men would have to work much harder during the time they were at the face to get more wages and more coal. There was every reason why they should have a period of rest. The right hon. Gentlemen said that it was not practicable. Well, it was practicable in the collieries of France, where the men had a period of rest.

Mr. HERBERT SAMUEL: The law in France works badly.

Mr. SAMUEL ROBERTS said that that was the first information he had had to that effect. At all events it was the law in France.

Sir F. BANBURY said he did not know whether the Amendment required a seconder, but if it did, he had much pleasure in seconding it. They had been told by hon. Gentlemen opposite that the Amendment was a subterfuge to increase the hours of labour, and the Under-Secretary of State for the Home Department had practically said the same thing, because he had used the argument against the Amendment that it would be impossible to find out whether the men occupied the forty minutes in having refreshment and rest. But the subterfuge was on the other side, because if they looked at the clause it said—

> "Subject to the provisions of this Act a workman shall not be below ground in a mine for the purpose of his work and of going to and fro from his work or be allowed to be below ground for that purpose for more than eight hours," etc.

It appeared, therefore, that there was taken from the time of work the time occupied in going to and from it. It often took a miner two hours to get to and from his work, and if in addition to that they had the period for refreshment, they would make it a five hours day instead of an eight hours day. He saw the hon. Member for Glamorgan in his place. The hon. Gentleman had told them yesterday that on his side of the House they were actuated by humane feeling, and he would therefore appeal to the hon. Member to support this Amendment on the ground of humanity. A man who was working hard underground for six or seven hours would certainly require an interval for refreshment. Did hon. Members opposite say that that interval for refreshment was not to be allowed except at the expense of some part of the short time he was underground? When it was understood that that was the objection which hon. Members raised, everyone would admit that the Bill was practically impossible and unworkable. But he maintained that it was right to give a man a period for rest and refreshment during six or seven hours work. In the improbable event of a man taking advantage of the forty minutes to work, the whole of the trade unions would be immediately upon that man—they did not want any inspectors—for contravening the section in the Act. But even if that was not so what harm would result if he worked for a few moments longer than was absolutely laid down by the Bill? He maintained that if they were really going to allow the men to do their work in a proper manner the Amendment was absolutely necessary. He admitted that on the last Amendment there was some difficulty about devising means of carrying it out. He did not think there would be the slightest difficulty in carrying out the present Amendment, and he should have great pleasure in supporting it. He should like to say a word in regard to the statement of the hon. Member for Mansfield, who seemed to consider it sufficient to get up when the hon. Member for Sleaford moved an Amendment and tell him that he was the laughing stock of the Committee.

Mr. MARKHAM: I did not say anything of the kind. I said he was the laughing stock of all the miners in the Midlands.

Sir F. BANBURY said he was afraid he could not answer that, because he did not know what the opinion of the miners upon the hon. Gentleman was. All he could say was that if they really considered he was a laughing stock, they had made a very great error, and they could hardly have been acquainted with the action of the hon. Gentleman. He did not sit on the same side of the House as the hon. Member, nor did he agree with all his opinions—in fact, he agreed with very few of them—but as a member of the Grand Committee he took that opportunity of saying he believed the hon. Gentleman did his best to amend the Bill in a single-hearted, honourable, and honest fashion, and he did not think he ought to be treated, certainly not by his own side, in the way he had been treated.

Amendment to the Amendment proposed—

"After the word 'manager,' to insert the words 'at the request of the men.'"—(*Mr. Samuel Roberts.*)

Agreed to.

Question proposed, "That those words, as amended, be there inserted."

*MR. PARKES thought the Amendment to the Amendment was an improvement on what was moved in the first place. He had consulted people who were associated with the miners in the district which he represented, and he found there was a general feeling on their behalf that there should be time given for meals and for rest. And it seemed to him that was only natural. When they took the time a man left his home and the time he returned again, if this was an Eight-hours Bill, it would not be less than nine hours. Was it reasonable to suppose that a man would walk from his home and work very hard during eight hours and require no specified time for meals? He did not agree with the hon. Gentleman who said he might have a scrap. He thought a scrap was not enough for a man who worked eight or nine hours uninterruptedly. They must also consider the condition of the horses in the pit as well. They must have a time of rest and refreshment for them. He would give an instance of his experience with regard to the working of eight hours. In a certain trade which he knew very well, there had recently been introduced the eight-hour principle. The other part of the trade worked what was called two shifts in the twenty-four hours. One would naturally imagine that the working men would choose the eight hours rather than the two shifts in twenty-four hours. But as a matter of fact he had men come back from the principle of the eight hours to the principle of the twelve hours, because they said the pace was almost killing during the eight hours; they were kept at it uninterruptedly the whole time and had scarcely time to snatch a mouthful of a meal, and they would sooner work under the easier conditions of the longer hours so that they might have rest and refreshment than under the eight hours principle. Of course, the thing was more accentuated when they came to seven and a half hours. In the present system there was sufficient time for refreshment, but when they came to eight and seven and a half hours it simply meant that in some cases going to and from his work and the time he ought to have for meals would take one-and-a-half to two hours out of the time, and that would mean five and a half hours' work out of seven and a half, or six out of eight at the face of the coal. He wanted to know if that would not make a very great difference to the productive power of the collieries of the country. He looked upon this as a serious matter. It was a matter of principle which wanted looking at very carefully. Other countries had seen the importance of it and had adopted it. They could not anticipate, at the present moment, what was going to be the actual effect of the Bill on this principle. It either meant that the men would be rushed during the whole eight hours or that they must have a time for refreshment. If they were rushed uninterruptedly for the eight hours for the purpose of the mine owner getting out the full possibility of his men, they did harm to the men. They should put this in the hands of the men themselves. Let them be the arbiters as to whether they wanted the quarter or half-an-hour as the case might be. The men he had consulted believed in some amount of rest and refreshment, and he thought they should put it in their hands as to whether they would like a reasonable opportunity of getting refreshment during the time of their work. To ask them to work nine hours right away and expect them to be satisfied with a scrap here and a bite there was asking too much of the men, and he believed it would deteriorate the men themselves.

MR. ALBERT STANLEY (Staffordshire, N.W.) wished to reply to one or two remarks of the hon. Member who had just addressed the House. He understood that the Bill would interfere with the hours in Staffordshire as little as it would with the hours anywhere in the country, and the feeling of the miners in Staffordshire was that the Bill had been made too elastic already. He did not know from what source the hon. Member had derived his information, but they already had their meal times arranged for. The Bill would very little interfere with those hours and they would be able to arrange in the future as now what time would be reasonable for refreshment.

*MR. PARKES: In some collieries in Staffordshire they have fifty minutes for meal time.

MR. ALBERT STANLEY said he would like the hon. Member to say where those collieries were, because he did not know any in Staffordshire where work was suspended for fifty minutes. They arranged now as they would be able to arrange under the Bill if it became an Act of Parliament, that some of the men would be working at the face of the coal while others were taking their meal time. That would be arranged without any inhumanity and without any great inconvenience either to the workmen or the colliery owners, and he could assure the House most confidently that there was not the slightest ground for the prognostication of the hon. Member.

MR. AUSTEN CHAMBERLAIN (Worcestershire E.): I do not propose to intervene in the discussion between my hon. friend and the hon. Gentleman opposite as to the practice of the Staffordshire mines, with which I do not profess to be acquainted, but the explanation of the hon. Member for Staffordshire is interesting. He tells us that the Staffordshire miners are very much in favour of this Bill, but that none of them will be affected by it.

MR. ALBERT STANLEY: I did not say so. I am sure the right hon. Gentleman would not wish to misrepresent me. I said it would interfere as little with the hours in Staffordshire as in any part of the country.

MR. AUSTEN CHAMBERLAIN: Exactly. I thought it was a matter of common ground among us all that there are a great number of miners already working less than eight hours who would not be interfered with at all. When the hon. Member said it would interfere as little in Staffordshire as in any other part of the country I naturally assumed that it would not interfere at all. I quite accept his statement that that was not what he meant, but that the effect on the Staffordshire miners would be merely trifling. But there is a good deal of evidence that this legislation is being imposed by people who will not largely be affected, because they already have the system, upon those who are, perhaps, not quite so heartily in agreement with them. But I did not rise for the purpose of referring to the hon. Member's speech, though I have been tempted to do so. I rise to ask for a little more explanation from the Government of a statement made by the Under-Secretary a few moments ago, which took me altogether by surprise in view of what happened yesterday. The Under-Secretary says, as an objection to this Amendment, that the limitation of hours in France is working so badly as to be practically a dead letter. I should like to know what evidence he has for that statement, and in what respects the French law is working badly. I think it is more important that we should have this information because only yesterday the Secretary of State quoted the example of France in order to reassure us.

MR. GLADSTONE: When?

MR. AUSTEN CHAMBERLAIN: Yesterday, in a speech in the early portion of the afternoon, when he followed the Leader of the Opposition, and attempted to answer some of the questions which my right hon. friend had put, and to remove from our minds the fears which have been expressed in certain quarters—fears, for instance, that this limitation of hours would give rise to an increase of price which would

Mr. Parkes

be serious, not only to the poor consumer directly, but also to our manufacturing industries of which coal is the universal raw material. The right hon. Gentleman then cited, amongst others, the example of France to reassure us, and said that none of those bad results had followed. My recollection is clear, and I have fortified it by the recollection of my hon. friend beside me. Of course, if the right hon. Gentleman says he did not cite France, or if he now says that if he did cite France it was an error, and gives us no comfort because the law is not at work there, that would be an answer.

MR. GLADSTONE: I have quoted France so often in the course of these debates, that it is difficult to tax my memory. I do not recollect quoting the case of France yesterday.

MR. AUSTEN CHAMBERLAIN: I do not want to press the point too far, because we are all liable to error as to what we have said and heard. The right hon. Gentleman has quoted the instance of France in relation to this Bill in order to draw inferences from what has happened in France as to what is likely to happen in this country. The Under-Secretary tells us that this particular law in France is a dead letter, and, therefore, we cannot draw any inferences from its working in that country. I hope we shall have the case of France cleared up so that we shall know exactly what is meant by the Under-Secretary's statement that this measure in France is a dead letter.

*MR. HERBERT SAMUEL: Although I think this is travelling far afield from the Amendment I cannot refuse a reply to the question put to me by the right hon. Gentleman opposite. In France the law is qualified by many exemptions for feast days and for the classes of men employed and so forth. In very many cases it has been found to be highly unsatisfactory in its working. I said that in France this measure had been found to be practically a dead letter, but perhaps that was putting it too strongly, and the word "practically" is not a satisfactory word and one which I seldom use. I should have said that in France the Act has to a great extent failed in its purpose on account of the many exemptions and the restrictions placed upon its working. I make that statement on the authority of gentlemen connected with the Home Office who made inquiries into this matter in France. There is now a Bill before the Chambers to strengthen in many particulars the provisions of the law. I think I am entitled to say of this Act that it has been made less useful in France by its many exemptions and restrictions than it would otherwise have been and, I think my right hon. friend is entitled to quote France as a precedent for this legislation, first, because their law is the same in principle, and secondly because there is now a proposal in that country to restrict those exemptions.

MR. BONAR LAW (Camberwell, Dulwich): This is really a remarkable discussion. The right hon. Gentleman claims that he has a right to quote what is going to happen in France as proof of what will happen in this country under this Bill. Already in France they have accepted the principle of this Bill and found that it does not work. The right hon. Gentleman however says it is going to work in the future and he quotes that as a good example in support of this Bill. I happened to have read some account of how the principle works in France, and I have no hesitation in stating that my recollection does not agree with the statement just made by the Under-Secretary, who implied that the Bill had failed to the extent it has failed because of the many qualifications contained in it. What I have read about it—and I invite the right hon. Gentleman's attention to this point—is that it has largely failed because the miners did not like it and would not work under it. That is the real reason why it has failed in France, and that is something which I hope the right hon. Gentleman will look into. I rise to support the amended Amendment. If it were really true that the Amendment were impracticable, I certainly would not rise to support it, because at this stage I think we should confine ourselves pretty much to Amendments which can be brought into practice. The hon. Member for the Mansfield division says it is quite impracticable and cannot be worked. I have often heard people who are called experts make statements of that kind, but I have often heard them contradicted, and while I am not in the same position as the hon. Gentleman opposite to judge of that matter, I cannot see why it should be considered impracticable. There is no ground whatever for the contention that what we want to do is in the interests of any other class but the men. We should leave this question entirely to the men themselves. If the men in a particular pit prefer that they should be absolutely idle for a given time in order to take refreshments, why is it the wish of hon. Members who support this Bill to deny them that privilege? They say they do it because the work will go on just the same. The hon. Member for Mansfield says that in the pits with which he is acquainted the system prevails of stopping the whole machinery of the mine for twenty minutes. The Under-Secretary says it will mean an eight hours forty minutes day because the men will go on working, but surely he realises that in a great many mines the work at the coal face is regulated by the powers of winding-up. Obviously, if the winding-up is stopped, the men cannot do the extra work. There is another consideration in regard to the Amendment which even hon. Gentlemen who represent the miners should take seriously into account. One of the worst features of the Bill is that it is going to tell most hardly on the old mines. I am told that in many parts of the country if the Bill is rigidly enforced many of those old mines will have to go out of operation altogether. The reason of that is largely because the men have to walk such a long distance to and from the face of the coal after they get to the bottom of the pit. If in a mine of that kind the men prefer to have a regulated time for taking their meals, surely that should not be objected to by miners working in mines where they do not experience that difficulty. The fact that the Amendment would help these old mines should make the miners' representatives willing to consider it. It is not only that the coal hewers will be affected, but if the winding goes on uninterruptedly without any interval for meals, then the men on the surface must absolutely take their meals whilst at their work. Is that a thing that we should make possible by Act of Parliament? I cannot understand why, when we leave it to the option of the men, the miners' representatives should object, and I am afraid the real objection is one which they would not like to acknowledge. I am afraid they are trying to get the thing which is preferred by a majority made compulsory on the minority. From any point of view I can see no reason why this Amendment, if it is to be left to the ballot of the men at the pit, should not be adopted.

*MR. LUPTON said it was rather surprising to be told now that France afforded us no precedent. France was a most democratic country; it wanted to please the miners and so it adopted all those exemptions. The right hon. Gentleman had asked how they could enforce the Amendment without lengthening the hours? That could be done because the period of refreshment would be fixed by the management according to law, and it was contrary to all experience to say that that would lengthen the hours of work. Surely the men would not require an inspector to order them to stop work when they required a little rest.

MR. BECK asked if the difficulty could not be overcome on the lines adopted in one of the new clauses which was ruled out of order yesterday. That Amendment gave power to the workmen to decide whether they would have this interval for refreshments or not. The Home Secretary had not answered the question put by the hon. Baronet the Member for St. Ives, and he did not know whether it was possible to arrive at some compromise on those lines. The argument seemed overwhelming in favour of some interval for refreshments. He was sure that if hon. Members were forced to remain in that Chamber for eight hours without any interval for refreshments they would feel it was a hardship.

MR. GLADSTONE: It seems quite unnecessary for the purpose of arranging for meals to set up machinery of the kind suggested in the Amendment. I do not think we ought to endeavour to get an extension of the hours by a side wind in this way.

Question put.

The House divided:—Ayes, 79; Noes, 258. (Division List No. 442.)

AYES.

Acland-Hood,Rt.Hn Sir AlexF.
Armitage, R.
Balfour,Rt.Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Beauchamp, E.
Beck, A. Cecil
Beckett, Hon. Gervase
Bertram, Julius
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.Hn.J.A.(Worc
Clive, Percy Archer
Coates, Major E. F.(Lewisham)
Collings,Rt.Hn.J.(Birmingh'm)
Cory, Sir Clifford John
Courthope, G. Loyd
Cox, Harold
Craig,Captain James(Down,E.)
Craik, Sir Henry
Davies,David (MontgomeryCo)
Dixon-Hartland,Sir FredDixon
Douglas, Rt. Hon. A. Akers-
Duncan, J. H. (York, Otley)
Faber, George Denison (York)
Fell, Arthur
Fiennes, Hon. Eustace
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Guinness, Hn. R. (Haggerston)
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, H. B.
Hill, Sir Clement
Joynson-Hicks, William
Kerry, Earl of
King,Sir Henry Seymour(Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Col.Charles W.(Evesham
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nield, Herbert
O'Donnell, C. J. (Walworth)
Parkes, Ebenezer
Paulton, James Mellor
Pease,HerbertPike(Darlington)
Powell, Sir Francis Sharp
Remnant, James Farquharson
Renwick, George
Ridsdale, E. A.
Roberts, S. (Sheffield,Ecclesall)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Starkey, John R.
Talbot,Rt.Hn.J.G.(Oxf'dUniv)
Thornton, Percy M.
Valentia, Viscount
Whitbread, Howard
Wilson, A. Stanley (York,E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-

TELLERS FOR THE AYES—Mr. Lupton and Mr. Watt.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Asquith, Rt.Hn.Herbert Henry
Baker, Joseph A. (Finsbury,E.)
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barnes, G. N.
Beale, W. P.
Bennett, E. N.
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L.(Lancs.,Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn Herbert John
Glen-Coats, Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody (Bath)
Gurdon, RtHn.SirW.Brampton
Hall, Frederick
Halpin, J.
Harcourt, Robert V.(Montrose)
Hardie, J.Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hope,W.Bateman(Somerset,N)
Horniman, Emslie John
Hudson, Walter

Hutton, Alfred Eddison
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kilbride, Denis
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Law, Hugh A. (Donegal, W.)
Levy, Sir Maurice
Lewis, John Herbert
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kean, John
M'Laren, Rt. Hn. Sir C. B. (Leices)
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meehan, Patrick A. (Queen's Co)
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Morton, Alpheus Cleophas
Murphy, John (Kerry, East)
Murray, Capt. Hn A C. (Kincard)
Murray, James (Aberdeen, E.)
Myer, Horatio
Nannetti, Joseph P.
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thomas (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Sir Charles Edw. (Stafford)
Shaw, Rt. Hn. T. (Hawick B.)
Sheehy, David
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanley, Albert (Staffs, N.W.)
Staveley-Hill, Henry (Staff'sh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomson, W. Mitchell- (Lanark)
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tillett, Louis John
Tomkinson, James
Toulmin, George
Verney, F. W.
Villiers, Ernest Amhurst
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampt'n
Wardle, George J.
Warner, Thomas Courtenay T.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Sir Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

Tellers for the Noes—Mr. Joseph Pease and Master of Elibank.

Mr. BOWLES moved to leave out the words "or be allowed to be below ground for that purpose." The object of the Amendment, he thought, was perfectly clear. The House would see that the clause, as it stood, imposed considerable penalties for a man not only to be below ground, but to be allowed to be below ground. He could understand perfectly well that it should be said that it was improper for the man to be below ground for more than a certain stated time, and he could understand Parliament saying that should be so, and making it an offence. If an employer gave authority or compelled a man to be below ground for more than that certain time, that also might very properly be made an offence, subject to a very heavy penalty. It was not right, however, to insist on imposing a penalty if a man was merely allowed to be below if the circumstances were such as involved no blame on the man or his employer, yet a case of that kind would be covered by these words. The provision was one which ought never to be made, especially in view of the further provisions of the Bill, which imposed a very heavy penalty and assumed the guilt of the manager unless he went to the trouble and expense of proving his own innocence. The purpose of the Amendment was clear, and though, perhaps, it could be carried out in other ways than the way he had suggested, unless the Government could show some serious reason why this should be made a crime for which a man had to answer in Court the House ought to be disposed, after consideration, to agree to this Amendment.

MR. CARLILE seconded.

Amendment proposed—

"In page 1, line 7, to leave out from the word 'work' to the second word 'for' in line 8."

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. HERBERT SAMUEL: The words which the hon. Member proposes to omit are preliminary words to Clause 6, which imposes a fine for offences committed against the Act. This is the ordinary form of enforcing all Acts for the regulation of labour. The hon. Member is entirely in error in saying that this is the first time in the history of our legislation in which an employer is made liable for penalties because his workmen work longer than prescribed by an Act.

MR. BOWLES: I did not suggest that. I said that it was the first time in our legislation that the guilt of an employer was assumed until he had shown himself innocent.

*MR. HERBERT SAMUEL: The Coal Mines Regulation Act of 1887, provides with regard to the employment of persons in contravention of the Act that—

"If any person contravenes, or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of boys, girls, or women,"

then he is to be liable to penalties. Then with regard to the Factory Acts, everyone knows that if a person is employed illegally, say, in working overtime in a factory, the employer is liable to a fine, and fines for such offences are recovered continually in the Courts. We propose in this Bill to make employment outside the hours mentioned illegal, and if the House passes the Bill, it would be only consistent with the dignity of Parliament to put in the Bill the means of enforcing the Act.

MR. SAMUEL ROBERTS said he wished to make an observation which he thought would modify the opinion of the right hon. Gentleman. As drawn, this clause was, he thought, too severe. How could a manager tell whether a man was working beyond the hours in a mine the workings of which extended to two or three miles? He would suggest to the mover of the Amendment to accept the word "knowingly." If an owner or a manager knew that a man went down into the pit when he ought not, or did not come up when he ought, then perhaps that owner or manager ought to be guilty of an offence; but when the workings of a mine were distributed over two or three miles, the owner or manager could not possibly tell whether a particular man remained too long underground.

MR. LYTTELTON (St. George's, Hanover Square): I should like to ask the opinion of the Solicitor-General on this matter. Section 6, as it stands, says that "if any person contravenes any provision of this Act" he shall be liable to a penalty. That does not seem to quite run with the provision of the section now before the House, viz., that any person who allows a man to be below ground for the purpose of his work, etc., shall be subject to a penalty. But supposing that a mining manager takes every reasonable precaution to procure the enforcement of the Act, and makes every provision possible to secure that no man should be below ground beyond the specified hours, and supposing that by the wilful error of a subordinate or by the deliberate act of the workman himself, the Act is contravened, does the hon. and learned Gentleman suggest that the mine manager should be fined? I venture to think that my friend's suggestion that the word "knowingly" should be inserted in the Amendment should be accepted. Or perhaps instead of "knowingly," "with the knowledge of." I do not pledge myself to the words, provided the Government will accept the principle; but it should be provided that knowledge must be brought home to the manager, or that he had failed to take every precaution against the contravention of the Act by the workmen.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid): The question raised by the hon. Member for Norwood is a very reasonable one but admits of a very easy answer. The insertion of the word "knowingly" would contravene the precedents in regard to this class of legislation. In the Coal Mines Regulation Act, passed by a Conservative Government in 1887, and in the Factory Acts the word "knowingly" does not occur at all. It is quite right if the owner or manager takes all reasonable steps to enforce the Act, that he should not be subjected to a penalty; and I think we have in Clause 6 taken ample precaution in that direction, and no words are necessary to make it stronger. I do not think stronger words could be found, but if they could be, we should be quite willing to meet the right hon. Gentleman opposite. The proviso in Clause 6 says—

> "The owner, agent, or manager of the mine shall not be guilty of an offence if he proves that he has taken all reasonable means by publishing, and to the best of his power, enforcing, regulations as to the times of raising and lowering the men . . . and supplying to each workman, who makes application, a printed statement of the said regulations to prevent the contravention of non-compliance."

So that all that the manager, agent, or owner proceeded against would have to prove would be that he has taken all the reasonable means pointed out by this sub-clause, and has taken steps to enforce the regulations. In answer to the hon. Member for Sheffield that we are here putting the onus of proof on the defendant, that has been done consistently in legislation of this kind. And it is only reasonable to do so; because the means

of knowledge are all within the power of the man on whom the onus of proof is laid. There must be *prima facie* proof, in the first place, that he has done his best to enforce the regulations. This principle is not new to our law. Under the Debtors Act, I think either Section 11 or Section 13, with regard to all offences which are described in that Act, onus of the proof is put upon the bankrupt that he is not guilty of these offences. Then, in the Coal Mines Regulation Act of 1887, Section 9 says:—

> "If any person contravenes, or fails to comply with, or permits any person to contravene, or fail to comply with any provision of this Act with respect to the employment of boys, girls, or women, or to the register of boys, girls, and women, or to reporting the intended employment of boys, he shall be guilty of an offence against this Act; and, in the event of any such contravention, or non-compliance by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this Act, to prevent the contravention of non-compliance."

The House will see at once that that section of the beneficent Act of 1887 passed by a Conservative Government is the very foundation of the whole phraseology and substance of this Bill.

VISCOUNT CASTLEREAGH said it was very difficult to argue a point of law with such a well-known authority as the hon. and learned Solicitor-General, especially after the speech he had made, but he would venture to suggest to him that by inserting the word "knowingly" he would remove an objection which he seemed to share with some of them. At the present moment the defendant had to show that he was not aware of what was going on, but he thought that some word should be put in placing the onus of proof on the prosecutor.

SIR C. J. CORY (Cornwall, St. Ives): said the hon. and learned Gentleman had quoted the Coal Mines Regulation Act; but that Act was a very different thing from this Bill. That Act applied to the safety of the men in the mines, and no doubt the employer should do everything in his power to see to the safety of the men, and the proof should be laid on him to show that he had done so. But by subsection (1) of Clause 1 of this Bill the employer was to be fined if he allowed a man to be underground more than a certain number of hours. That seemed to him to be very unreasonable. If an employer had provided every facility for the workmen to come up to the surface and comply with the law, surely he had done all that could be reasonably expected of him. It was impossible for him to go to the distant stalls in the mine and see that every man was brought out in order to comply with the law. The Solicitor-General admitted that, but pointed out that under subsection (*a*) of Clause 6, it was provided that the owner, agent, or manager of the mine, should not be guilty of an offence, if he proved, that he had taken all reasonable means by publishing and, to the best of his power enforcing regulations as to the time of raising and lowering the men and supplying to each workman who made application a printed statement of regulations to prevent contravention or non-compliance. Under that subsection, however, the onus of proof rested upon the manager or owner to show that he was not guilty, which he submitted was quite contrary to English law. It was said, secondly, that he had to publish regulations, but it was not said in what way he had to publish. They did not know whether he had to publish them at the pit-head or in the newspapers. He was to publish and to the best of his ability enforce the regulations. But how was he to enforce them to the best of his ability? He might endeavour to do it by visiting every working place in the mine, but that would be a physical impossibility. Further, he had to supply each workman who applied with a printed copy of the regulations. Therefore, he had to prove that each workman had had one of those forms, or that such and such a workman did not apply. Where 1,000 or 1,200 men were employed that was a tremendous task.

Sir S. EVANS said that was done in many mines. The miner signed his name in a book on receipt of a set of rules.

Mr. MARKHAM said it was done in every case. Every man signed his name in the book and had a copy of the rules.

Sir C. J. CORY observed that, therefore, every man when he came signed a book and had to give a receipt showing that he had had one of these documents. In the case of 1,000 or 1,200 men that would be very difficult indeed. Therefore, he said that it was difficult to carry out the three conditions provided for under subsection (*a*) of Section 6, and the onus of proof was cast on the employer where it ought not to be.

Mr. MARKHAM replied that the clause was very simple and very clear. Every man when he came to a colliery had to sign a book as prescribed under the Coal Mines Regulation Act. There was an obligation that every man who signed received a copy of the rules and regulations under the Act which had been agreed by the local board, the inspectors of mines, and the owners in each district. Therefore, in this case all that had to be done was to attach to these special rules the particular provisions of the Act relating to this section. There was not the slightest difficulty in doing that.

Lord R. CECIL thought they ought to know whether that was correct, because a more astounding version of what the provisions of this Bill were he never listened to. The hon. Gentleman appeared to think that all that would be necessary was that the rules should be handed to the miners and a copy of this Bill given to them.

Mr. MARKHAM said it was what happened in every district. Special rules were drafted by the owners and the men, in conjunction with the mines inspector and the local authority, and as soon as this Bill was passed these provisions would be incorporated with the special rules and become really law.

Lord R. CECIL pointed out that that was a very small part of the employers' duty under the Bill. He did not think the hon. Member realised what the employer was exposed to under the Bill and when he did he thought he would agree with them, that some change must be made in the wording of the measure. They proposed to strike out the words "or be allowed to be below ground for that purpose," because *prima facie* they compelled the employer not to allow anyone to be below ground for more than a particular time. The ordinary English meaning of those words was that the men must be forced out if it was necessary to drive them out of the mine. That seemed to him to be quite clear. If he said to a man: "I will not allow you to remain in this room," it meant: "I will turn you out by force if you will not go." It meant nothing else, but the Solicitor-General said "allowed" was used in a Pickwickian sense, and that the Government really did not mean "allowed" when they said it. He said they used it as a good mouth-filling word, and what they really meant was described in subsection (*a*) of Clause 6. But when he turned to that subsection he found that the employer had to prove that he had taken the precaution of publishing these rules. The hon. Member said that was a very simple matter, that he would include in his rules other rules framed under this Act, and then all he had to do was to do his best to enforce the rules. But if he was told that he must not allow, and he must take the best means of enforcing, then he was just where he was under the present clause, and he was bound to see that every man was out of the mine. If it did not mean that let them know where they were, because he thought that words in an Act of Parliament should mean what they said. He protested strongly against putting in words in the first clause of a Bill which had a perfectly clear well-known English meaning—there was no question here of lawyers or of construction—they had a perfectly well-known English meaning, and then attempting to define the words later on in another section and saying that they meant something which nobody would ever think they meant. It was thoroughly bad legislation, and, if that was what the Government intended to do, they ought not to do it. As he understood subsection (*a*) of Clause 6 however, he really thought it meant to convey by the word "allow" what was usually conveyed by that word.

Lord R. Cecil.

*MR. G. D. FABER (York) said he would take the Amendment, first of all, as it stood. The words proposed to be omitted were "allowed to be below ground for that purpose." In the first place, the words were not practicable. In answer to another Amendment which had been discussed that afternoon to the effect that the eight hours should be eight hours in the miner's place of work, they were told by the Government that it was not practicable, and he now ventured to use that expression to the right hon. Gentleman in charge of the Bill, and to say that the words "allowed to be below ground" were not practicable. The noble Lord behind him put the case with unanswerable force when he said: "How is it to be decided? How can you decide whether or no a miner is allowed to be below ground for that purpose?" Suppose a miner refused to leave, what was the master to do? That was objection No. 1. Objection No. 2 was that a mine was not like a factory, and he would follow that argument for a moment or two because the Solicitor-General took the factory as an illustration for the purpose of his argument. A mine was not a factory. It was easy enough, or, at all events, comparatively easy to look round a factory and say "aye" or "no" whether a man was there. But if they had hundreds of men at work at hundreds of different places in a mine, it was almost impossible for an owner or manager to decide whether a man was in the mine or not after the eight hours had passed. The Government themselves admitted that, because the Solicitor-General, with his well-known legal ability and acumen, fell back upon subsection (*a*) of Clause 6. After all, he said it was easy enough to determine whether a man was "allowed to be below ground" or not by seeing what the agent, owner, or manager had to do, and when they looked at that subsection they found that the owner, agent, or manager of the mine should not be guilty of an offence if he proved that he had taken all reasonable means of publishing, and to the best of his power, enforcing regulations as to the times of raising and lowering the men. But they got no further, because what was the meaning of the expression "to the best of his power enforcing regulations?" How were they to enforce regulations to the best of their power? Was it by going and bawling into a workman's ear, "Time is up"? Must they go up to him, and take him by the shoulder and force him out? His right hon. friend below him suggested that they might adopt a Parliamentary expression and let the manager say, "Who goes home?" But he ventured to ask seriously was this a fair and reasonable onus to put upon the manager of a mine? He used to know something about the law in old days, but he had forgotten most of it now. He always understood that in cases of this kind the onus was the other way. The Solicitor-General quoted the Coal Mines Regulation Act as a precedent, but there were two distinctions. There the onus was upon the mine owner, because they were dealing with the safety of the mine, and he thought the Solicitor-General also said that women and children were involved. That took them into a very different relation altogether; first, in regard to safety, it was fair that the ordinary rule of onus should be shifted, and in the case of women and children who *prima facie*, were unprotected, it might require some extra precaution on the part of the law. But there was no reason why a grown-up man could not take perfectly good care of himself. He thought it was unfair, therefore, that the managers of mines should be put in this position as between man and man, and as between manager and worker. The onus in his opinion, ought to be entirely the other way, and the inspector should prove that the manager of the mine had not taken due precautions. He thought this was going to be a great addition to all the other inconveniences and unfairnesses which were introduced into this measure. They were going to alter the rule of law. In his opinion, the onus in matters of this kind should be upon the person who desired to prove the offence and not upon the person who was the owner or manager of the mine.

*Mr. LUPTON said he really thought there was a great deal to be said in favour of the Amendment. The Bill endeavoured to make it compulsory for the managers and mine-owners not only to say how many hours a man was in his place but to see that he left it at a particular time. His experience in construing Acts of Parliament was that one man's opinion of what an Act meant was just as good as another's until there had been a decided case. Then the lawyers could tell what the strict interpretation was, but until there had been a decision it could only be interpreted according to a person's own opinion. Here was a Bill which said that a man should not be allowed to be in his place for more than a certain number of hours, and if he was in his place longer than he ought to be he was to be prosecuted. Supposing he was prosecuted, he would naturally say: "Well, I did not know what the time was," and his lawyer would naturally say that it was the business of the manager under this clause to let him know what the time was. The magistrate would probably take the same view, and say: "Did you not tell this man what the time was? If you did not how was he to know?" When he was hurrying and rushing to get his work done it could not be said that he should look at his watch every ten minutes; and besides, in all probability, he would not have his watch with him. It would be put away fifty yards off so that it should not be damaged by the falling of coal or anything else. The Government said it was impossible for the manager to take the man's time. If it was impossible for the manager to do that, and at the same time if the man was hard at work at the face, he could not be expected to know what the time was. Therefore, this responsibility must be put on the manager and he must let the man know what the time was. He would have thought it was easy to take the man's time in his working place, but as he had only been in the habit of managing a few hundreds of men the Government said he knew nothing about it. Still, he should have thought it was quite easy to let him know the time at which he was to leave. The men had all got to get out at one time, and a man who had half an hour to walk, and the man who had a quarter of an hour to walk, having to get out in the one half hour, must leave their places at a particular moment; otherwise they would be too late to get out. Therefore they had carefully to calculate the time at which each man must leave his place. Every man would be given a ticket to tell him the time that he was to leave and then a man would have to go round when the time came to tell him he should leave. It was very hard that the mine-owner should be put to the expense and the trouble of having his manager or his deputy going round to tell the men the time at which they had to leave, not for the purposes of the safety of the mine or because it was for the benefit of the mine-owner, but simply because it was desired by the trade union. The manager having to look after the mine-owner's interest and the safety of the mines was readily forgiven by the men it in prosecuting a man for breach of rules he made himself nasty sometimes, because they knew that in the last resort their safety depended upon him. Therefore, let the Government which wanted this Act enforce it and enforce the time that these men should be up at the pit's mouth, and not the manager, because, if the manager had to do it and was constantly enforcing these provisions against the men it would only lead to difficulties. Why should they be forced into strikes in this way, because this was the very way to foment difficulties between the manager and the men? He therefore earnestly impressed upon the House the great injury which this clause would do.

MR. STUART WORTLEY thought the words were inserted here for the purpose of catching the employer, but he supposed they must submit to the idea, the Bill having been read a second time, that there should be a prevention of grown men combining with others to supply a public want. He rose, however, for the purpose of asking the Government whether even for that dubious purpose these words were at all necessary. If they were necessary why was the definition in this clause in different words from that which occurred in Clause 6. It was a very embarrassing method of drafting, and he should like to ask the Solicitor-General to show, if he could. why the words were different.

Mr. Lupton.

MR. LAMBTON could not agree with the hon. Member for Sleaford in this matter. The only thing the manager had got to prove was that he had taken proper precautions and all reasonable means, by publishing and enforcing the regulations as to the time of raising and lowering the men, and if he could show that, no charge could be brought against him, so that the fuss that had been made about subsection (*a*) Clause 6 was unnecessary. At the same time, he thought the Amendment of his hon. friend ought to be inserted.

SIR S. EVANS: I will, with the permission of the House, now answer the right hon. Gentleman. There is a difference in the wording, but no difference in the substance of the first section of Clause 6 and the definition in Clause 1. You have in the one case the word "allow," and in the other the word "permit." What really happens is this: You first of all say a certain thing is not to be permitted or allowed, and then, in Clause 6, you are allowed or permitted to prosecute. You are not bound to prosecute, but if there has been a contravention of the regulations, as the hon. Member opposite has just pointed out, and the manager can prove that he has taken proper precautions, then there is no case against him. If he has taken reasonable precautions to prevent a breach of the regulations, then he is not subject to a charge.

MR AUSTEN CHAMBERLAIN: I am afraid the hon. and learned Gentleman has not quite appreciated what has been said. Take the case which has been suggested, of certain men stopping too long at the face of the mine to get wound up within the statutory period. It would occur once, the mine manager would notice it and give warning that it must not occur again. It does occur again, and the hon. Gentleman says the mine manager need not prosecute. Is that quite clear? Would that be the effect of the Bill as it stands? I understand that the visits of the inspector may not be made daily, and there may be considerable intervals between one visit and another. Supposing an inspector came round and saw that these things had occurred day after day. He would say to the manager: "Why did you not stop it?" The manager would say: "I did my best; I warned the man." But then the inspector would say: "When your warnings were not heeded, what steps did you take? Have you to the best of your power and ability enforced the regulations? There is a penalty by statute attached to a man who commits a breach of this law. Why did you not enforce the law against him? You yourself are guilty of a breach of the law for not having enforced the law against him." Would not that be the effect of this section? Is not the manager bound to take any and every step in his power to ensure obedience to the law, not only by himself but by his workmen, and will it not force a prosecution on the part of the manager? Would he not himself be liable to a prosecution if he did not do so? That is with regard to the first part of the subsection. Now I want to ask this further question, arising out of the working of the regulation as to the raising and the lowering of the men referred to in Section 1. Some hon. Members have treated that question as if the manager could discharge his duty by seeing that one man was raised in the time specified, but in order to enforce the regulations, must not the manager get the men to the place from which they are to be raised? I see my point is plain to the right hon. Gentleman, therefore I will not trouble him further.

SIR S. EVANS: I think it will be necessary for the owner or manager to provide proper facilities for a man getting to and from his work. Where a man disregarded the regulation and the Act of Parliament, the owner or manager, in order to carry out the Act, could warn him on the first occasion and again warn him on the second, and it would be within the competence of the bench of magistrates to say that, in view of the constant disregard of the regulations by a particular man, the obligation of the owner or manager or agent under the Act to provide facilities to get the man to or from his work at the proper time had been fulfilled to the best of their power.

MR. KEIR HARDIE (Merthyr Tydvil): May I ask the right hon. Gentleman whether in the case of a workman being reported to the inspector of mines, the latter would take action thereupon?

SIR S. EVANS: It would be either the employer or the inspector.

MR. AUSTEN CHAMBERLAIN: I wish to make this quite clear; I desire to know whether the manager would discharge his responsibility by simply reporting the matter to the inspector, or whether the manager would himself prosecute in the case of repeated disobedience?

SIR S. EVANS: I think in that case the bench would say that the manager had done the best in his power to enforce the regulations.

*MR. BECK said there appeared to be an extraordinary difficulty in determining the meaning of this clause at all. He might say that the noble Lord opposite had thrown a great flood of light on this question. He wanted to bring to the notice of the House what was said by the Home Secretary on this Amendment, when it was moved upstairs in Committee. The right hon. Gentleman on that occasion said that they were perfectly well accustomed under the existing law to a limitation of hours. In this case, what would happen was that if the owner, manager, or agent desired to fulfil the requirements of the law he need only provide for facilities at the right time for getting a man to and from his work, and it would be perfectly clear that all reasonable means had been taken. That was obviously the intention of the Government, but it was by no means clearly shown to be their intention by the draftsmen of the Bill. He appealed to the Government to alter the Bill in order to fall into line with what the Home Secretary authoritatively laid down upstairs as the intention of the Government on this matter. He felt it was an appeal which could not be resisted by any logical mind.

SIR F. BANBURY said the hon. Member for Merthyr Tydvil had asked the Solicitor-General whether it was a fact that all an employer would have to do under this section, and under subsection (a) of Section 6, was to give notice to the inspector, and that if the man did not come up in proper time, a bench of magistrates in all probability, according to the opinion of the Solicitor-General, would say that the manager had taken all reasonable precautions. He did not know why the hon. and learned Gentleman thought that, because it was absolutely contrary to the provisions of the Bill. There was nothing in the Bill about giving notice to the inspector. The Bill said that the man was not to be allowed to remain in the mines, and that if he remained underground steps must be taken to enforce his removal, otherwise certain penalties would accrue. It was said, when they were passing an Act of Parliament, that the Law Courts would give their decision on the provisions of the Act. Now the provisions of the Bill were perfectly clear, and he would put a concrete case to the hon. and learned Gentleman. Let them presume that he was the Judge, and that this case came before him. The proper time for the workmen during the three years, when both windings were excluded, was to come at two o'clock. But if it was found that the first man did not come until a quarter past two, and the employer or manager did not go down into the pit, then delay was caused. If they did not do that, then the hon. and learned Gentleman would contend that it would be sufficient for the manager merely to state in defence that he had given notice to the inspector that the man did not come to the surface. If that was so, and if that was what the hon. and learned Gentleman said, why did he not amend the Bill so as to give force to his own wish? It would be perfectly easy to amend the Bill so that it would be quite clear that what the magistrate would determine was to be the interpretation to be put upon the provision.

Sir S. EVANS: I said that the magistrates might well do that if they liked.

Sir F. BANBURY said he now understood. The hon. and learned Gentleman gave the case away. If they could do that and they might possibly do that if they liked, then that was all they contended for. But the provision was not clear, and the result of it to any ordinary and reasonable man must be that it would have to be decided whether the manager and the employer had to go round and force the men to leave the pit. He submitted that the hon. and learned Gentleman had completely given his case away.

Mr. WATT said that if a man remained down the mine longer than the law permitted then the manager must report to the inspector, and the inspector would write back to say to the manager that he was to prosecute. Would the manager in that particular case be guilty of an offence if he did not carry out the instruction of His Majesty's inspector?

Sir S. EVANS: That is one case, I am bound to say, which must be put out of account. I may tell the hon. Gentleman that it would be a portion of the circumstances of the case which the justices would take into consideration in determining whether or not under the regulations and so on, the owner, agent, or manager had done his best.

Mr. A. J. BALFOUR (City of London): Surely right hon. Gentlemen opposite must see how difficult it is to get through the Bill with any reasonable degree of speed if they adopt this *non-possumus* attitude in regard to a provision which may obviously produce a great sense of injustice. We have been discussing this clause from four o'clock till a quarter past seven, and most of that time has been occupied with Amendments moved by the other side of the House. I must honestly say that if the Government cannot see their way to make concessions on matters which may produce the greatest hardship it will be impossible to get the Bill—you cannot get the Bill. Really in the interests of the progress of business I would ask the right hon. Gentleman in charge of the Bill, when points of real substance are raised, but which do not touch the essence of the Bill at all, or its effectiveness for the purpose the Government have in view, whether he cannot see his way to making some concessions.

MR. GLADSTONE: I am most desirous, on a question to which great interest is attached, that both sides should be able to give it full consideration. The debate, so far as I have followed it, really has reference to what subsequently follows in Clause 6. My hon. friend behind me quoted from a speech I made upstairs in which I described our object. I quite agree that critics of the Bill are justified in saying that if we agree to what is the object of the Bill we should give effect to that object. Speaking broadly, what we want, of course, is that proper arrangements should be made for providing that the men get to and from work at a given time. I know that there are varying conditions at different collieries, but our object is that the men should be got to and from the pit at the statutory time. The question is what arrangements may be necessary in the event of a man not presenting himself to be wound up at the given time? That is our one object. I am simply stating what we want to provide. We want the manager or owner or agent to provide reasonable facilities for the men to go up and down.

MR. A. J. BALFOUR: We are all agreed about that.

MR. GLADSTONE: The whole question is how it is to be done. I only wish to state, being responsible for the Bill, what it is we want to get done. We do not in the least want to overload the measure; we only want to secure reasonable terms in the Act. I do not think it is at all necessary to provide such drastic penalties, because, if this Bill passes, those who are responsible for the management of our mines, and those who are organised leaders of the men, are all reasonable, rational, and humane, and I have not the slightest doubt that they will work the Act in the right spirit. The only question is as to the occasional instances, the rare occasions, when a man might not come up from the mine at the proper time.

MR. AUSTEN CHAMBERLAIN: Will the right hon. Gentleman explain why it is that these words are necessary at all.

MR. GLADSTONE: They are necessary at one time or another. Neither my right hon. friend nor the Solicitor-General, as I am told, attach much value to these particular words; they thought that perhaps on the whole they would strengthen the clause and make plain its purpose. Neither of them says that the words are essential. I am quite prepared, having regard to our object, to give up these words.

Amendment agreed to.

*MR. WATT moved to leave out the words "for more than eight hours during any consecutive twenty-four hours" and to substitute the words "for more than forty-eight hours per week." The principle involved in the Amendment was precisely the same as the principle in the Bill, only the system adopted under his Amendment was that the limitation of hours should be forty-eight in the week instead of eight hours per day, amounting, of course, to the same number of hours per week. By the Amendment, however, a choice would be given to the men to take whatever days they liked in the week to work longer and to take whatever days they liked in the week not to work at all. The system that the men had adopted for some years had been the system of working four or five days in the week, and resting for one or two, or working four or five days in the week and having what was called a short day's work on the sixth day. If the House would refer to page 13 of the Report of the Committee which inquired into this matter, they would find that of all the localities which were mentioned on that page that had twelve days in the fortnight to work, there was only one of those localities which worked for the full twelve days, namely, the Forest of Dean, and he was told that that district was an exception in this respect, that it worked only during the winter months, and had practically a full holiday during the summer months. But of all the other districts in that list there was not one that worked during the twelve days of the fortnight, so that the system which had been in vogue and was in vogue at the present moment was that a holiday was taken in the fortnight in practically every district in the United Kingdom, and that in a great number of them two holidays were taken in the fortnight, Under his Amendment they would be permitted to adopt that same system, and have days during the fortnight when they would not require to work. Moreover, the men at the present moment seemed to prefer this system, because within the last few weeks at the Tredegar pit, which the hon. Member for Mansfield knew well, the men met and asked of their employers that they should be allowed to reduce the hours of working on four days of the week, and to have the extra time added to the fifth day, indicating that the system of forty-eight hours working in the week would be more acceptable to them. Under the Amendment, too, the difficulty of the windings would be excluded. The windings of the men had led to considerable discussion and the question of the safety of the men under the rushing of these windings had been a moot point in all the discussions on the Bill. But by the system which he suggested the windings would not be included at all, and moreover the windings of the men would be fewer in number, because if they worked longer hours on some days of the week and shorter hours or not at all on others, the safety of the men would be provided for in that way. The weakness, he thought, which occurred in the clause was this, and reference had not often been made to it. If the eight hours system was insisted upon and carried into law, a peculiar result would take place. If for any cause the workmen were, say on a Monday morning, unable to go down at the usual time, six o'clock, and were delayed two hours, say by a shortage of trucks, which he understood was quite a common occurrence, under the Bill as it stood they would not be allowed to go down during the currency of that week earlier than eight o'clock. If they stayed down eight hours on that day they would work till four o'clock in the afternoon, and until twenty-four hours had elapsed from the time they went down they would not be permitted to go down again. That would be obviated by the adoption of the system of working forty-eight hours in the week instead of six days of eight hours.

Mr. HICKS-BEACH seconded. It seemed to him that this was one of the most desirable Amendments that could be moved to the Bill, and that it would help to do away with some apparent difficulties that obviously would occur when the Bill had passed into law. If the House would refer to the Report of the Departmental Committee and look at page 13, they would find, as the hon. Member had pointed out, that in only one district, the Forest of Dean, were the miners accustomed to work for six days in the week, and that was due to the fact that the Forest of Dean coal was almost entirely house coal at present, and consequently there was a great demand for this coal in winter, and a small demand for it in summer, and the colliers only worked about three days in the summer time. If they would also refer to page 16 of the Report they would find that there was a very large amount of absenteeism in various collieries throughout the country on certain days of the week. For instance, if they would look at the Return at the bottom of page 16, they would find that on Monday there were 601 hewers at work in a certain district, and on Saturday there were 712, whereas in the middle days of the week, Tuesday, Wednesday, Thursday and Friday, the number of hewers in each case went up to over 800. As to the mineral produced, whereas on Monday the total amount was only 1,200 tons, and on Saturday, 1,400 tons, on the other days of the week it went up to from 1,600 to 1,896 tons, which showed conclusively that in that district, at any rate, it was the custom of the miners to take a full day's work on Tuesday, Wednesday, Thursday, and Friday, and to have a whole day off perhaps on Saturday, or, at any rate, to work only a short time on Mondays and Saturdays. He could not help thinking that if the Bill was made to restrict the hours of labour in mines to a certain number in the week instead of a definite fixed number per day, it would be much more in consonance with the general desire and feeling of the miners themselves, because everybody knew that the miner was as fond of outdoor sport as anybody else, and he supposed the pit men in the North country were more fond of outdoor sport than any other class. They would, he felt confident, much prefer to work for eight hours on four or five days in the week and to get a whole day free, than to spend the greater portion of each day in the mines. He could not really see what serious objection there was to the Amendment. The object of the Bill was to prevent, he supposed, miners being down in the mine beyond a certain time. The Amendment left it open to be a matter of arrangement between the men and the masters. In certain districts they might prefer to work eight hours each day in the week. In other districts they might prefer to work ten on a certain number of days and six on others, or to have a day off altogether. There was nothing in the Amendment to prevent the various districts of the country carrying out the desires of the men in each mine. But what he thought was more important was that it would help a very great deal to solve the difficulty of the Durham and Northumberland miners. The Home Secretary told them yesterday that the difficulty in the case of the Northumberland and Durham miners was a very real one, and that there would have to be some special provision in the Bill, at any rate for six months or so, to enable the Durham miners and masters to come to some definite arrangement which would enable them to go on and work under the Bill. All these difficulties would be removed if the restriction of hours was limited to hours per week instead of hours per day. It would enable the coal-getters and the boys in Durham to go on working under their present arrangement, and without any hitch being produced by the Bill. It would, again, by removing coal windings from the operation of the Bill, enable the Forest of Dean collieries to be worked exactly on their present system. He most earnestly supported the Amendment, because it appeared to him to be in consonance with the ordinary habits and customs of the miners themselves, and even the House of Commons could not, by passing one measure at the end of an autumn session radically change at once the manners and customs of all the miners throughout the country. He believed it would help the Bill to bring it into consonance with the feelings and desires of the miners, and by passing it in this form they would enable the miners in Northumberland and Durham to come under the Bill, which, otherwise, it would be absolutely impossible for them to do.

Amendment proposed—

"In page 1, line 8, to leave out from the word 'purpose' to the end of the subsection, and to insert the words 'over forty-eight hours in one week.'"—(*Mr. Watt.*)

Question proposed, "That the words 'more than' stand part of the clause."

MR. GLADSTONE: The hon. Gentleman need be under no apprehension as regards this clause. He has said that if this Amendment were accepted it would settle the Durham and Northumberland difficulty, but it would not do even that. This Amendment provides for forty-eight hours work per week, but at the present time the boys in Durham and Northumberland work in the mines considerably longer than that. The limitation of hours per week is quite right in some classes of employment such as factories, but even under the Factory Acts there is a daily limit. In regard to coal mines I think it would be most dangerous and disadvantageous to allow men to work an unlimited number of hours per day in order to have two short days during the week. That is a very bad principle, and on that ground alone I could not assent to the Amendment. Of course, there is a great deal to be said for shortening the hours of labour by limiting the number per week. My second main objection to this Amendment is that it is not the Bill. It may, as a separate system, apply to this or that industry, but it is a totally different proposal from the basis of this Bill. The basis of our Bill is an eight-hours day, and that is the short title of our measure. It is perfectly clear that the object and intention of this Bill is to provide for an eight-hours day, and if you substitute for that a provision giving forty-eight hours per week, then it is a different proposal altogether, and it would involve different rules. This Amendment is one which goes to the root of the principle of the Bill. Those are my two main objections, but I also object to the principle which allows miners to work ten, twelve, or even more hours underground at a stretch, and that is something which goes to the very root of this Bill.

Mr. JOYNSON-HICKS (Manchester, N.W.) said he approved of the Amendment, and he was not surprised that the right hon. Gentleman had not seen his way to accept it. It did not, as the Home Secretary said, cut to the root of the Bill, so far as limiting the hours was concerned, but it did cut to the root of the position taken up by the Government that they and the miners' representatives were the persons to decide whether adult men were to be allowed to conduct their own business in mines in their own way. The Amendment meant a certain amount of freedom to the men themselves, and the object of the Government and the miners' representatives was to abolish all freedom on the part of the men who disagreed with them. He would not argue whether it would do away with the difficulties incurred, or with the difficulties in regard to winding, but the Amendment did raise a question of vital importance, and that was whether, assuming it was desirable to make any curtailment in the hours worked in mines, the men, or any collection of men, were to be allowed the slightest freedom whatever in disposing of their own time, or whether this Government and the active leaders of the miners' trade unions were to become complete dictators of the way in which miners were to spend their working hours. There were obvious advantages in allowing a forty-eight hours week. That was the basis upon which the Factory Acts were worked, and it was the basis upon which the trade unions regulated their own hours, and there was a growing tendency in all sections of the community to have an off day on some day of the week. Under the provisions of the Bill these off days were entirely put off unless the men took a whole day off; there was a possibility of working ten hours one day, and having an off day on Saturday or Monday, unless the whole arrangements were upset by this clause. He appealed to the general body of opinion in the House, and to those hon. Members who were not altogether dominated by the fear of miners' votes. He suggested that this was an Amendment in favour of freedom, and the rejection of it was a distinct acknowledgment on the part of the Government that they intended to leave the whole mining industry to the leaders of the miners' trade unions, who woulfl not allow men to say what number of hours they would like to work.

*Sir IVOR HERBERT (Monmouthshire, S.) said he wished to correct an impression that might arise from something that had been said by the mover of this Amendment. The hon. Member mentioned an application made by men working in the Tredegar pits for a reduction of the hours of winding to forty-eight hours a week, and the inference from that in the minds of hon. Members would be that the men in the pit favoured a forty-eight hours week rather than an eight-hours day. He rose to say, as one who was intimately connected with the coal-field referred to, and knew very well the feelings of the men there, that such an impression would be altogether a false one. The representation made by those miners was in favour of a reduction of winding hours from fifty-four to forty-eight per week. It was a case of taking the best the men could get. Obviously the men there would wish to have a reduction from the long hours of winding which at present obtained, and would be willing to take forty-eight hours winding per week, but that was not the same thing as having an eight-hours day, which was what they desired. Perhaps it might be a step in the right direction had it been granted, but he wished to say in an emphatic manner that in that part of the South Wales coal-field this Amendment would give no satisfaction whatever.

Mr. J. F. MASON (Windsor) said he was not surprised that the right hon. Gentleman remained unmoved by the appeals made to him, but he was surprised that he did not regard more seriously the suggestion that the acceptance of the Amendment, or one very similar to it, would get him out of a difficulty. The Bill as it stood would be difficult of application in Northumberland and Durham. The hon. Member for Mid Durham, in his evidence before the Committee, brought out very clearly the injustice which would be done in that district by the application of a rigid eight-hours day. Of course, under that system the hewers worked six and a half hours, and there were two shifts a day served by putters who worked for ten hours. The whole of that system must be upset if a rigid eight-hours day was applied, and it was quite evident that a fifty-hours week would leave the position as it stood, and enable them to work five days a week as they did now without altering their arrangements. But even a forty-eight-hours week would make such a small difference that its effect would be only to reduce the time of the putters by twenty minutes a day. He thought the right hon. Gentleman might give some further consideration to this proposal, and it would, at any rate, get the House out of a difficulty which, judging from his speech yesterday, he fully realised.

*MR. LUPTON said that if this Amendment were accepted, it would do away with the chief practical objections to the Bill and it would make its application throughout the country much more fair. The hon. Member who moved the Amendment said it would get over the difficulty as regarded Durham and Northumberland. Under the Amendment the hauliers could work ten hours a day for four days, and they could have some men coming in on Tuesday who would work on up to the Saturday. Until they were wanted for hauling, they would be repairing, and when Friday came and the other men had finished their forty-eight hours, these men could come in from the repairing to finish off the shifts on Friday and Saturday. By means of the forty-eight hours a week plan, they got over the difficulty not only in the North of England, but in every other part of England. The House would be aware that the chief advantage which the Miners' Union hoped to get by the Bill was a reduction in the output of coal which would raise its price, and consequently wages. That, at any rate, was what the hon. Gentlemen below the gangway desired it to do. They thought that as a result of shorter hours they would have five or six men in the pit where they now had four, but a forty-eight hours week would not give that advantage, for very few of the colliers worked forty-eight hours a week now. The Bill would not restrict their hours at all, on the average, throughout the country. The great aim of the Bill from the point of view of the Miners' Union would therefore be lost. It was said that the Bill would prevent men from working excessive hours. It could not be said that to be below ground forty-eight hours a week in our coal mines, which were well ventilated and carefully examined by inspectors from time to time, was an unhealthy life. He did not expect even that many of the hewers would be forty-eight hours a week underground if the Bill was passed. The forty-eight hours a week was a maximum, and he therefore hoped that the Government would accept the Amendment. The Home Secretary, in what he considered to be the interests of humanity, wanted to force a man down the pit six days a week so that he would put in more unprofitable time walking to and from his work, and injuring himself, when he might be far better employed above ground attending to his land, for some colliers had small holdings or engaged in some other occupation. It was said that in South Wales there were long hours; but why was that? It was because the men would not work the double shift system, and if the men would not work the double shift system they had to work long hours in order to keep up the output. As long as the single shift system was insisted on, the hewers would have to work long hours. Under the Amendment the mines would be enabled to maintain the output and they would escape the terrible results which would follow a shortage of fuel, which were too terrible to be imagined.

MR. D. A. THOMAS asked whether the Amendment was consistent with the title of the Bill, and if passed, would it not require the title of the Bill to be changed?

*MR. SPEAKER: There are six days in a week, and if you multiply six by eight you have forty-eight hours.

MR. SAMUEL ROBERTS said he had pleasure in supporting the Amendment. The miners in the part of the country with which he was best acquainted, that was South Yorkshire, had shown no enthusiasm for the Bill at all, but they would regard it as an improvement if the Amendment were accepted. They liked their liberty, and they preferred to work four or five days a week, and to have Friday or Saturday as a holiday. This they thought was a better system than working six days a week. Mining was said to be an unhealthy occupation. It was perhaps not one of the most pleasant or the most healthy occupations, but that was all the more reason why the men should continue to have their holidays at the end of a week. The Amendment would give that elasticity which he considered to be so desirable. He was very much astonished that the Members representing Northumberland and Durham were not supporting this Amendment, and were not speaking for it.

AN HON. MEMBER: They will vote against it.

MR. SAMUEL ROBERTS said that if the Amendment was fifty hours a week it would meet the case of Durham, for it would enable one shift of boys to work for ten hours on five days. He was astonished that the hon. Member for Mid Durham was not in his place supporting this Amendment, for it would exactly meet the difficulties he and his friends had had so much to say about in the House for years. This was the first occasion, and this was the first year, when they had not found these Gentleman speaking against an Eight-Hours Bill. The reason for that was that they were now under a certain amount of coercion. Being now in the Miners' Federation their mouths were sealed and they were not in their places to support this Amendment as they ought to be. It was his privilege to go to Newcastle to be present at the late bye-election there. He noticed then there was no enthusiasm shown for the Bill at all. They could not even get the miners to go on the platform and support the Radical candidate when he spoke in favour of the Bill, and to his great astonishment, he found that they had actually to get miners to come from Lancashire. The Newcastle election had shown that, in that district at any rate, there was not much desire to see the Bill passed, for they could not get their own people to support it. If the Amendment was carried, it would give a certain elasticity of choice to the men. He supposed the Government wanted to satisfy the men, for the only reason that could be brought forward for the existence of the Bill was that the men had been coerced to ask for hours which they did not want.

MR. LAMBTON said his hon. friend who had just sat down had commented on the fact that none of the Durham Members were there to support this Amendment. He supported it, but did not do so because he thought it was suitable to Durham. His belief was that Durham did not want any legislation at all. The coal owners and miners in Durham were quite able to settle their own affairs without the interference of Parliament. The hon. Member for Sleaford had on the previous day told them how free from accidents the coal-trade in Durham was, and said that the working of short hours was the greatest benefit in the world. The Home Secretary said that Durham and Northumberland were very highly organised.

MR. GLADSTONE: What I said was that Durham and Northumberland stood by themselves.

MR. LAMBTON said he thought that was the same thing. The right hon. Gentlemen said that Durham and Northumberland stood by themselves. That meant that they were very highly organised, and he did not see why he should wish to apply a Bill of this kind to them. They had got on very well without this legislation, and he had never come across anybody who had asked for the Bill at all. The hon. Gentlemen below the gangway did not look upon him as representing the mining industry. There were, however, 3,000 or 4,000 miners in his constituency. Whether he represented them or not he did not know. He had never asked how they voted, and he only knew what had been the result of the poll. He had not received a single petition in favour of the Bill from them. They were not chary about expressing their opinions in regard to other Bills, such as the Licensing Bill, but they had never asked him to support this Bill. The Amendment might meet the case of Durham it was said, but he did not think it quite would. The Amendment asked for a forty-eight-hours week. In Durham some men worked thirty-seven hours a week; another class worked forty-seven hours and some of the boys worked fifty-two hours or fifty-four hours a week. These were lads whose work was not heavy. He was quite convinced that they were not very hard worked from the way in which they played football at the end of the week. As regards physique the Durham miners would compare favourably with those anywhere else. Ever since this matter had been before Parliament all the Members for Durham and Northumberland had opposed an Eight Hours Bill. The hon. Member for Wansbeck and the hon. Member for Mid. Durham had told the House on more than one occasion that the boys and men in Durham had not suffered physically or mentally from their work in the mines. Now it was proposed compulsorily to alter the whole system. That, he thought, was a most dangerous thing. Would the Home Secretary show him that the Bill would not cost more than 1s. a ton more in Durham and Northumberland? There 80 per cent. of their trade was export trade and this increase might seriously affect it. The right hon. Gentleman and his party had taken off the tax on exported coal, but they were imposing a new tax which would be put on at the pit mouth. The dislocation of trade caused by this might involve the loss to Durham and Northumberland of the whole of their export trade. He should support this Amendment because he thought it was better than the Bill, not because he thought it was good for Durham.

MR. ATHERLEY-JONES said the observation by his hon. friend who had just spoken that lads in Durham were not suffering from physical disease because they were experts at football, reminded him of a similar expression used nearly fifty years ago in the House by the right hon. Baronet who was then the Member for the county of Durham. At that time the boys and men were working in the pit sixteen hours a day. The right hon. Baronet in opposing the Bill made the statement that the physique of the children was magnificent, and that he had seem them gambolling about like young lambs. Fortunately that argument did not prevail with the House of Commons, and boys of tender years were no longer permitted to go down the pits under the noisome and horrible conditions under which mining was carried on in those days. He need hardly say that he believed that there was no Member in the House who was more animated by humanitarian sentiments than the hon. Member for South-East Durham, and that he would not be indifferent to the real interests of the children. He also was a Member for Durham, and although he could not speak with the authority of his hon. friend, at the same time this was a question to which he had given very long and earnest attention, and ever since he had been in the House of Commons, he had supported a general eight-hours day. He was quite sure of this, that the hon. Member for South-East Durham and the hon. Member for Wansbeck never did take up any attitude except that which they honestly conceived to be in the interests of the miners of Northumberland and Durham, and it was in that frame of mind that they expressed their hostility to the eight-hours measures formerly introduced. But there were many conditions about this Bill which might render it acceptable to those who formerly opposed the old Eight Hours Bill. The hon. Member for Wansbeck required no commendation from him, but he was perfectly certain that that hon. Gentleman was the last man in the world who would be coerced, and if there was any modification in his views, it reflected a modification of the views of his constituents. He had preached the doctrine of an eight-hours day in Durham for many years, and had met with considerable hostility because of it. His hon. friend who spoke last stated that the County of Durham did not want this Bill, and that the men there were strong advocates of forty-eight hours per week. But forty-eight hours a week would defeat the whole object of the Bill so far as the County of Durham was concerned. At the present moment the average time during which the boys were confined in the mines was ten hours a day, and during the greater part of the year these boys never saw daylight. The forty-eight hours a week system would perpetuate that state of things. One of the moving forces for an eight-hours a day Bill was that it would be a great act of emancipation for the boys in the County of Durham. He was opposed to the idea of these young lads of fourteen or fifteen years of age being for five days in the week, and often for eleven days in the fortnight, confined under ground for ten hours a day. As to the general effect of the Bill on Durham, he believed what they would find was that, whereas the hewers worked for something under seven hours a day from bank to bank, there was very little danger of the Bill interfering with that. Forty-eight hours a week would, in his opinion, far more tend to cause dissatisfaction than eight hours a day. The Durham miners were not disregardful of the interests of their young people, and he believed that they would welcome this Bill as a great boon to their boys.

Mr. SAMUEL ROBERTS: How are the boys dealt with in the Durham mines?

Mr. ATHERLEY-JONES said he understood that the boys were not allowed to work more than eight hours out of the twenty-four, but he knew that at the present time they were under the surface not less than ten hours a day; and it was because he believed that the Bill would redress that state of things, and that, after reading the evidence of the Committee, he had not the vague ideas and gloomy anticipations which some hon. Members had as to the effect of the Bill if passed, that he opposed the Amendment.

Mr. STANLEY WILSON (Yorkshire, E.R., Holderness) said he supported the Amendment. He noticed that the hon. Member who had just sat down said that he had supported the Eight Hours Bill in the past, but he had never told them how he was going to make this Bill workable in Northumberland and Durham. He was afraid he had never realised the great difficulties that would arise in those two counties—difficulties which the Home Secretary himself admitted yesterday and said that there must be some alteration in the Bill to meet them. The Home Secretary had made a rather remarkable statement, namely, that his principal objection to this Amendment was that the forty-eight hours per week system was bad in principle.

Mr. GLADSTONE: I did not exactly say that. What I said was that it would be difficult in its application.

Mr. STANLEY WILSON said he thought the reason the right hon. Gentleman gave was that it was an extremely bad thing for the coal miners to work one long day and then a short day.

Mr. GLADSTONE: My words were that the Amendment does not specify that the hours must be so many in one day and so many in another day. It leaves it quite open that the hours may be ten, twelve, or fourteen on some days, and, having regard to the dangers of coal mining, I say that that principle would be dangerous.

Mr. STANLEY WILSON asked the right hon. Gentleman if it would make the Amendment more acceptable to him if they added the words "and not more than ten hours on any one day." If that were so, he would have great pleasure in moving that Amendment to the Amendment.

Mr. GLADSTONE: There is no machinery for that.

Mr. STANLEY WILSON said he could not quite agree with the right hon. Gentleman's views that it was a bad thing to work ten hours one day and less on other days. He thought the system would be beneficial to the health of the miners, because they would get more of the open air. He pointed out that if the right hon. Gentleman would accept the Amendment he would be assisting the Government indeed. It was admitted by all experts that the effect of the Bill would be considerably to increase the price of coal, and he thought that the Amendment would mitigate the evils which would fall on the shoulders of the consumer. He was sure every Englishman had an innate love of liberty. It was one of the things they all felt strongly about, except, of course, the present Government. Miners were particularly fond of their liberty; they were a liberty-loving race. The hon. Member for North-West Manchester said that the Amendment meant freedom for the workers in the coal mines and allowed the men to arrange their own time. The Bill, as it stood, was going to deprive them of their rights and liberties.

MR. HUNT (Shropshire, Ludlow) said he had voted for the principle of the Bill, but he must say that he could not understand the Government not agreeing to this Amendment. After all, the men under the Amendment would only actually work on an average about seven hours a day; and that was very much less than was done in other occupations where there was distinctly hard manual labour. There was this also to be considered from the workman's point of view, that if a man lost two or three days from any cause, under the Bill he had no way of making up for them. He was tied up and must only work seven hours a day. He thought that was a very considerable curtailment of a man's liberty. He believed that when Liberal Members began to understand that they would not like it at all. The Amendment, in his opinion, would do away with a great many objections to the Bill, and it would give the men a very fair amount of freedom. If the Government would not accept the Amendment and give the men their freedom, they were going to tie them up very severely, and in his opinion they would not like it at all. He was sure that it would be very much better if, instead of practically tying down every man in every mine to what he might call perhaps a Government system, to which probably eventually he would very strongly object, some other course were adopted. He hoped the Government would consider this Amendment very seriously. The miners in his division were all in favour of an Eight Hours Bill, but he did not think, as far as he knew, that they would have any objection at all to this Amendment, and he was sure that in another part of Shropshire it would be welcomed very much indeed, by at all events a very considerable number of men.

MR. MARKHAM said that when this clause was under discussion in Committee, a statement of immense importance was made by the hon. Member for South Glamorgan, in reply to certain remarks of his on this question of forty-eight hours a week, which statement he thought ought to be placed upon the journals of the House in some way, there not being any Reports taken in Committee. The hon. Member for South Glamorgan stated definitely to the Committee that he gave a pledge that the miners of South Wales would work when this Bill was passed six days a week, and it was not the intention either of his constituents or of the Federation to prevent the miners working six days a week. For his own part, knowing the interest that miners in South Wales took in football he doubted whether they would work six days, but he thought that difficulty could perhaps be met to a great extent by altering the hours of work on Saturday morning. If he were not travelling outside the Amendment, he should like to say on the question of diminution, that he was sure, if his hon. friend and those associated with him would follow his advice as to double shifts, there would be no need for anxiety about South Wales. He should like to say a few words about the position of Durham. It seemed to him an extraordinary position that hon. Members should come and state that the Durham coalfield would be dislocated by an Eight Hours Bill. What was the position? He did not know a single coalfield in any part of the world where boys were worked longer hours than adults, and if it was possible in every other part of the world to work mines economically and well under another system, it was possible for the managers in Durham so to organise matters that the same difficulties which had been overcome by other bodies of men were overcome in Durham. He could not think that the House, which had so often dealt with the question of child labour, was going to allow children of thirteen years of age to be employed in that way. Children of thirteen years of age could be employed under ground, though not above ground, and these children worked long hours in Durham. Surely that could not be for the advancement of the mining industry of that county, whatever the men might think, and he could not help thinking that that good sound common sense which all North Country men had would settle the matter if the men and the owners put their heads together. If they did that he was sure these difficulties would disappear. As to the Amendment, it would destroy the whole principle upon which this legislation was founded. The House had accepted the principle of an eight-hours day, and to permit the men to work twelve hours a day, as they could if this Amendment were accepted, would destroy the whole intention of the Bill.

Mr. GOULDING (Worcester), in supporting the Amendment, said that with many others he greatly regretted that the Government had not seen their way to accept it. It would have given that elasticity to the Bill which would have enabled them to overcome a great many of the big obstacles which were introduced. The hon. Member who had just addressed them had stated that the hon. Member for Glamorgan said that the miners, so far as he knew, were not going to use their opportunities hereafter to try and reduce the number of days that they would work or in any other way to encroach upon the time that the Bill assumed that they would work. He did not doubt for one moment the *bona fides* of the hon. Gentleman, but he was perfectly certain that he would agree with him that representatives only spoke for the time they were representatives, and what the miners said to-day when this Bill was before Parliament they might materially alter at a later date under different circumstances, so that really that statement carried no weight whatsoever. What did carry weight was this. He believed there had been a meeting of the Federation of Miners at Chester within the last twelve months, and there it was desired by representatives of the miners to carry a resolution that they should not work more than five days a week, and it took the intervention of the hon. Member for Hanley to prevent its being dealt with. He appealed to them not to hamper the Eight Hours Bill by unpleasant proposals of that sort, but to leave them by for a convenient opportunity. As a consequence, the miners there, acting under the strategic advice of the hon. Member for Hanley, did not proceed to deal with the five days a week resolution. Now the point which they had to consider more than any other that night was how this Bill was going to deal with the miners in Northumberland and Durham in regard to this very proposal. The Home Secretary said he opposed the Amendment for the forty-eight-hours week because it was dangerous. What the danger was he did not proceed to tell them. The only danger that he saw, as regarded the eight-hours day, was the inevitable result that wages would be reduced. Individuals could not earn sufficient to justify their present wage and consequently the cost of fuel must inevitably be increased to the vast majority of the people. If there was any danger with regard to forty-eight hours per week in reference to this work below ground, he should like to move as an addition to the Amendment the words " but not more than ten hours in any day," and that would put it out of the power of any of these individuals to work those hours which people considered deleterious to their health. It was a remarkable thing that, although this Eight Hours Bill affected so adversely the great counties of Northumberland and Durham, they had not had the presence that night of any of the eminent miners' representatives to speak of the clause as it stood. Many of them would remember that some of the most eloquent, powerful, and convincing speeches ever delivered on the floor of the House had been delivered by representatives of those miners against this very Bill. Such being the case they were without the evidence of what was the actual position of the miners in those two counties upon the proposal of a definite eight-hours day, and one was driven back to the only statistic before them, and that was that in the year 1903 the miners, by a majority of 17,000, gave an adverse vote against the Mines Eight Hours Bill. From that day to the present the miners in Durham had never varied that result. That was their record, and their representatives were not there to say on their behalf whether they had changed their position in regard to it. Then they came to Northumberland. In Northumberland there had been a poll of the miners, and out of 46,000 only 18,000 took the trouble to vote, and on that vote a simple majority of 465 was declared in favour of the Bill.

Mr. JOHN WARD (Stoke-on-Trent): What has this to do with the Amendment?

*Mr. DEPUTY-SPEAKER (Mr. Caldwell, Lanarkshire, Mid.): I wish to point out that the Amendment raises the question of whether there should be an eight-hours day or forty-eight hours a week, and the hon. Member must not stray beyond that.

Mr. GOULDING said he was only going to explain to the House that forty-eight hours a week would naturally be more in accordance with the wishes of Durham and Northumberland than the strict limit of eight hours a day.

*Mr. DEPUTY-SPEAKER: The question he is discussing is the opinion of the Durham and Northumberland miners on an eight-hours day. The House has already determined the principle of an eight hours day on the Amendment to leave out subsection (1). The present Amendment is whether the limit should be a daily limit of eight hours, or a weekly limit of forty-eight hours.

Mr. GOULDING said he at once bowed to the Chairman's ruling, and he left that part of the Bill, but he desired to point out that if an eight-hours day was applied to these miners it would inflict a very great hardship which would be avoided if there was the elasticity which was given by a forty-eight-hours week enabling them to work not more than ten hours a day. In the evidence of the hon. Member for Mid Durham he stated that while the "putters" would have their hours reduced from ten to eight, the actual "getters" might have their hours increased from six and a half to eight if they were to be able to keep up the output which was necessary to keep these men in employment. Surely it was not desired by any party gratuitously to curtail the amount of production that could be secured from any mine. He therefore desired to give that elasticity to these counties which they would have by a forty-eight-hours week. They would be able so to arrange the forty-eight hours in the week as to secure the greatest amount of output and consequently the greatest amount of employment. Lastly, he wished to refer to another point of importance. There were mines in which a miner had to travel a great distance before he got to his stall. Surely, it would be in his interests and to his advantage to enable him, when he reached that stall, to spend as much time there as possible and not use perhaps an hour each day, as might be the case with a simple eight-hours day, in getting there.

*Mr. DEPUTY-SPEAKER: That question does not arise on this Amendment.

Mr. GOULDING said he supported the Amendment on the grounds he had stated, moving, as he did, to add at the end "but not more than ten hours in any day."

*Mr. DEPUTY-SPEAKER: The hon. Member's Amendment cannot be accepted at this stage. The question before the House is that certain words stand part, and until that is disposed of no new Amendment can be moved.

Mr. GOULDING: May I not move an Amendment to the Amendment?

*Mr. DEPUTY-SPEAKER: You can only move another Amendment if the words proposed to be left out are left out.

Mr. GOULDING concluded by saying he desired that this system should be secured for miners in these different localities where circumstances were peculiar and where they must be the best judges of what was advantageous to the industry to which they belonged.

SIR F. BANBURY was sorry the hon. Member for North Shropshire was not in this place, because he was always interesting in any role he took up, and he had taken up the role in this case of an innocent supporter of the Government, and appealed to them to accept the Amendment.

SIR S. EVANS: Call him an half and half supporter.

SIR F. BANBURY said he would like to point out to the hon. Member that when he was a half and half supporter he got no consideration from the Government, and he was going to press upon him the advisability of opposing the Government on principle. The hon. Member for Mansfield and the hon. Member for Durham had opposed the Amendment on the ground that boys should not be compelled to work long hours underground. The hon. Member for Mansfield said children of thirteen years of age should not be compelled to pass long hours underground. He quite agreed with him, and he did not believe there was a single man on that side of the House who would not agree that children of thirteen years of age should not be long hours underground. That, however, was not the object of the Amendment. The object of the Amendment was to provide that people generally employed in the mine—and there were a good many people employed besides children of thirteen years of age—should be allowed to work forty-eight hours in one week. If the hon. Member would bring in a Bill to exclude children from working above a certain number of hours underground, he would support him, but his arguments were hardly apposite to the question before the House. The same remark applied to the hon. Member for Durham. The right hon. Gentleman the Home Secretary, interrupting the hon. Member for Worcester, said he opposed the Amendment on the ground that it would permit men to work twelve or fourteen hours a day. He presumed the reason he objected to it was because he thought that would be deleterious to their health. He would however point out that there was nothing to prevent men working twelve or fourteen hours a day now. They did not do it, and they did not do it because they were combined in a powerful organisation and could practically choose the hours they worked without any interference from anybody. He thought he might venture to say that that argument—he did not wish to use any offensive language, and he would put it midly—was a foolish one, and one which would not bear investigation. What was the real argument for the Amendment? It was that it would enable the men to have a holiday once a week. They could earn good wages in forty-eight hours, and at the same time secure to themselves on the sixth day a holiday. He did not pretend to have an intimate acquaintance with miners, although he had taken a good deal of interest in this subject, and especially when he was on the Grand Committee, but as far as he knew, the habit of the miner was, if possible, to have one day in the week on which he could play football and take part in any other sports, and enjoy himself. That was a very strong argument for supporting the Amendment. He had never been in a mine himself, but he quite admitted that in order to get to their place in the mine the miners had to go through difficulties and discomforts. The Amendment would allow them to work nine and a half hours in five days, and would give them the power on the sixth day to enjoy themselves. All of them in that House who had any knowledge of human nature must admit that when a man had once started upon his day's labour, it was much more to his interest to spend nine or ten hours at that labour and to get a whole day off, than to spend a smaller number of hours over that labour every day in the week. He saw the Chairman of the Departmental Committee opposite, and he thought he would confirm him when he said that the Report of that Committee remarked upon the absence of men, and bore out the fact that they did not want to work every day in the week. If the Amendment were not carried, unless the miner changed his whole nature and became a machine who would work readily for eight hours every day in the week—a thing he had never done in the history of mines—he would have to do one of two things: he would either have to lose wages which he was already earning, or he would have to go to his trade union and ask them to increase the amount paid per ton of coal. He did not think there could be any doubt as to what he would do. He would go to his trade union and say: "I do not want to work eight hours for six days in the week; I am not allowed to work forty-eight hours in five days, and I must, therefore, ask you so to increase the piece-work price I am paid for getting out a ton of coal, that the result will be the same to me, and I shall be able to work five hours and get the same wage as I do, now that I work longer hours." The result which would follow under those circumstances was evident. There would be a great rise in the price of coal, and a very large amount of restriction would be placed upon the manufacturing community. He did not want to go into the evils which would follow that. Everybody in the House knew what they were, though he did not think the country outside realised it. If the Amendment were carried, it might be possible to avoid all that, and to go on with the same system they had now without that dislocation which he believed would follow if the Bill passed without the Amendment. He should, therefore, for those reasons, have much pleasure in supporting the Amendment. This was evidently, in no way, a party question. The Amendment had been moved, and he believed had been supported by hon. Gentlemen opposite. If the Solicitor-General considered his hon. friend the Member for North Shropshire a half-and-half supporter, he did not think he would consider the mover of the Amendment one. He therefore, appealed to him to give that consideration to his own supporter which he refused to his hon. friend.

Mr. BOWLES was not surprised, particularly after their experience upstairs, that the Home Secretary had found it impossible to accept the Amendment, but he was rather surprised at what he considered the extremely singular reasons which the right hon. Gentleman gave for the course he was taking. So far as he could understand the right hon. Gentleman, the Government had only two reasons against the Amendment. First of all the right hon. Gentleman said, with a great appearance of solemnity, that he could not possibly agree with the Amendment because it was not the Bill. Of course, it was not the Bill. He did not see how an Amendment could be the Bill. The whole point of an Amendment was that it was not the Bill, and, when the right hon. Gentleman with a serious face stood up at the box and set forth as a serious reason for not accepting the Amendment that it was an Amendment and not the Bill, he was bound to say he was taking up a singular position for a member of the Government. The Amendment would make the system they were setting up in one of the most important industries of the country elastic and make it apply fairly and equally all over the country. It would make the Bill apply fairly and equally over the whole of the coalfield, and it would carry out the objects of hon. Gentlemen equally as well as they were carried out in the Bill as it now stood. It would achieve that result all through fairly and equally as between man and man and as between master and man. The Government throughout, both in the House and upstairs, had insisted upon an absolutely cast-iron and rigid rule which was to apply up and down the country to all mines of which the conditions varied. It must be quite clear to any reasonable men that any such attempt as that was an attempt which they ought not to make except upon the clearest and the gravest grounds. Upon what grounds were they invited to make that attempt? The right hon. Gentleman had given them as a reason, and it was all they had heard against the principle of the Amendment, that if it were adopted there would be nothing to prevent people working under their present system. That was to say, that they would work longer hours than eight on certain days in order to get off-days on other days of the week. What did that mean? If that objection had any meaning, it meant nothing else than that in those collieries where at present off-days existed those off-days under the operation of this Bill would cease if the Amendment came into operation. It must mean that; it could not mean anything else. He asked the higher pressure than it used to be. They could not make men become plodding machines instead of men who were doing actively all they could positively do and making the largest amount of money they could in the shortest time. To suggest that they should do this at the present day was beyond comprehension. They would not care to work slowly on every day at a moderate amount. They would do as all men were doing, put on the steam and work as hard as they could for about four days in the week and then take a holiday, and he did not grudge them that holiday. Far from it. If this Bill would give them that holiday he would be only too delighted if they could enjoy it with plenty of money in their pocket. But if they worked eight hours, and still took their holiday, they would not have the money in their pocket. They would take it all the same but they would have less money to spend when they had a holiday. He heartily supported the Amendment, and believed there was none which had been proposed more in accord with the spirit of the times.

Mr. RIDSDALE said he did not often trouble the House—on the few occasions when he did he was very sorry for his auditors—but he conceived it his duty to support this Amendment. On this occasion he had listened with considerable patience to a large part of the debate, and had heard serious arguments addressed to the Home Secretary, the Law Officers of the Crown, the Under-Secretary of the Home Office or whoever might be in the position of defending the Bill, but he had listened in vain for any answer to them. In addition to commenting on the silence of those in charge of the Bill he might be allowed at the same time to say that those hon. Gentlemen who were mainly interested in the success of this Bill had also been conspicuous for their silence. What did the Amendment propose? It proposed to introduce into the cast-iron system of eight hours per day a certain amount of elasticity. It allowed the number of hours to be the same per week as the more rigid proposals of the Government, and it allowed a certain amount of liberty to the individual colliers that they should work rather more than eight hours on one day and rather less on another day. He could not conceive any Government really seriously wishing arbitrarily to limit the discretion of a man as to whether he should work a longer or a shorter period on one particular day than another. There was no principle involved. Was there any extraordinary quality in the figure 8, that it must be applied to every one of the days of the week, and not extended to nine on some and diminished to seven on other occasions? If there was any argument for the Bill, which he occasionally doubted, surely if the number of hours worked per week was the same under each method, the best method to adopt was the one that gave the most elasticity and liberty to the individual. He had listened to the right hon. Gentleman and the reasons why he would not accept the Amendment. The first reason he gave was that it was not the Bill. A more admirable reason in support of the Amendment he had never heard. It was an Amendment proposed in order to give liberty to the various men as regarded the hours they worked on a particular day, and it was designed to extend that liberty as far as possible. He could not understand why it should be in the mind of the Government to restrict the liberty of the men to this absolutely arbitrary period of eight hours. There was nothing more in eight hours than there was in eight and a half or seven. Then the second reason given was that actually these wrong-doing men might on certain days of the week have the iniquity to work for ten or perhaps twelve hours in order to get off for a holiday on the last day of the week—a most monstrous thing for any collier or anyone of His Majesty's subjects to perpetrate. Was that argument put forward seriously? They were the only two arguments they had heard from the Government bench against this proposal. If, as they heard originally, the case in favour of the miner was that it was a dangerous occupation, and that to spend more than eight hours a day in the mine incurred a certain amount of risk as the hon. Member for Merthyr said, that argument was met entirely by this extension of the time to forty-eight hours for a whole week, and they had the additional advantage of allowing these men to have a certain discretion with regard to the splitting of the hours he was to work in any one day. He was not entitled, as his hon. friends below the gangway would at once inform him, to speak on behalf of the miners in any respect, but it seemed to him to be an impossible position that any man, be he a collier or anyone outside the four walls of an asylum, should not wish to have the power, at any rate, whether he exercised it or not, so to divide up his time that he might work a little longer at one period or a little shorter at another. In that House they had not a cast-iron system by which they were always there at a quarter to three and left at eleven o'clock. There was a certain amount of discretion. Unfortunately he was there until 3.30 that morning, and had only three hours sleep, but he felt he had been exercising his individual liberty, and, as he thought, trying to do a little good for the country n preventing this Bill getting through, and he intended to sit up for the rest of he night if necessary to achieve that bject.

SIR S. EVANS: The last observation he hon. Member made was that he onceived it to be his duty, not only o his constituency but to the country, o do his best by all the means at his and to prevent the Bill becoming law. hat was the whole tenour of his speech. ut I do not think I heard a single piece f argument in the course of the speech favour of the Amendment now before e House except the mere phraseology hich he used that there ought to be asticity. Let me test the hon. Member d see whether he is honest in supporting e Amendment. He is perfectly honest his opposition to the Bill, but is he nest in supporting the Amendment? e wishes to give full liberty to anyone work as long and under what conditions he likes. Just as he has enjoyed oroughly the liberty of staying in this ouse for twenty-one hours out of the enty-four, and only enjoyed three urs sleep—and some of us would have eferred that he had indulged in a tle more—so he thinks every collier every coal mine in the country, atever the state of things in the lliery was and whatever the danger was to him and whatever the consequences to his health if he was foolish and selfish enough to work all these hours, ought to be allowed, in the exercise of his full liberty as an Englishman, to spend any quantity of time he likes underground. Let me put to him one or two questions and see whether or not he has even grasped the Amendment. A man works forty-four hours on Monday, Tuesday, Wednesday, and Thursday. Admirable, according to the hon. Gentleman. He ought, therefore, to be allowed to work ten hours on the Friday.

MR. RIDSDALE: That makes fifty-four.

SIR SAMUEL EVANS: Exactly. And the Amendment is that he must not work more than forty-eight. That is exactly what I was pointing out to the House, and the hon. Member has not thought fit to grasp the meaning of the Amendment.

MR. RIDSDALE: If I might interrupt, I have endeavoured to make clear that under the Government Bill it would be eight hours for six days which makes, in my view, forty-eight hours, and that under the Amendment there were forty-eight hours, but there was the power to any man to work ten hours on one day and take off the extra number on the next.

SIR SAMUEL EVANS: The hon. Member was speaking in favour of an Amendment to limit the hours of working of colliers to forty-eight a week. That is the Amendment. I put to him this, that if they are entitled to work, as he thinks they ought to be, eleven hours for the first four days, why, according to his theory, should they be prevented from working more than four on the fifth occasion.

MR. RIDSDALE: By your Bill of which we have accepted the Second Reading.

SIR SAMUEL EVANS: The Second Reading of this Bill is that we are not regulating the hours per week, but regulating the hours per day, and if the hon.

Member had as much regard as he pretends to have for the principle of the vote on the Second Reading, that is the principle underlying the Bill. He said lots of questions have been put, and not answered. No questions have been put which have not been answered from this side of the House. No question of a legal character has been put to me in the course of the Amendment. The real reason why we did not think it necessary to get up — I am rather sorry I am up now—is that we want to see the Bill pass into law. The real reason of his getting up is not to support the Amendment, but to prevent the Bill becoming law. The principle of the Bill is that we want to attempt to regulate the hours per day, and in doing that we think we are doing what is good for the people of the country and for the people engaged in this industry. It is not good to encourage a man to do injury to himself for three or four days in the week, and to go on holidays or some other expedition on two other days of the week. It is bad for the industry, bad for the employer, and bad for the men. It is right, not merely from the point of view of safety, but of the industry in every direction, that it should have as much regularity as possible in the working of the colliery and in the output from the colliery, that in that way you regulate the hours of the men themselves working in dangerous conditions, and enable the enlightened employers also to show to their customers what they are able to produce day after day. It will not be spasmodic or sporadic. So far as we can we are regularising the method of working, and I am very pleased to see the workmen and their leaders are putting upon themselves self-restraint in this matter. I do not think we are right to say: "Why not enjoy your life when you can." It is better, in their interest, in the interest of the families and of the great industry in which they are engaged, that there should be as far as possible, a limitation of hours and a regulation of the industry so that the employer may know what the output will be.

Mr. RAWLINSON (Cambridge University) said he wished to enter his protest against the speech made by the hon. and learned Member who had just sat down. When one of the supporters of the Government got up and had the courage fairly and squarely in face of a hostile audience freely to criticise the Bill the Government bench refused to answer his criticism.

Mr. THOMAS RICHARDS (Monmouthshire, W.) said they were all answered in Committee upstairs over and over again.

Mr. HAVELOCK WILSON (Middlesbrough) claimed to move "That the Question be now put."

Mr. RAWLINSON said that no explanation of this proposal had been vouchsafed to them from the front Government bench, and the only excuse given to them was that an answer had been given to the questions in the Committee upstairs. [Cries of "Question."] That was the reason why he had risen to protest against the speech of the Solicitor-General. The only reply they got was that the Amendment went against the spirit of the Second Reading of the Bill, and to prove this the Solicitor-General went to the trouble of reading the heading of the Bill or rather the short title. But the hon. and learned Gentleman never said a word about limiting the hours of work per day. The object of the Bill was "to amend the Coal Mines Regulation Acts for the purpose of limiting the hours of work below ground." Not one word was said there as to whether those hours were per day or per week. When the Law Officer of the Crown was forced to get up and reply to a Member of his own party in that way, the Liberal Government must be hard driven for an argument. He did not propose to discuss further the merits of this particular Amendment, because it had been made abundantly clear that a man ought to be allowed to work ten hours a day for so many days, and so many days at a lesser number, providing he did not make the total more than forty-eight hours per week. If hon. Members voted for the Amendment, as he proposed to do, it did not follow that they were unfavourable to a restriction upon the hours of labour in mines. The Amendment was a great improvement upon what was proposed in the existing Bill, and the arguments used in favour of it had been unanswered. He should not have intervened at all in the debate only he desired to protest against the suggestion that by the Second Reading they had been in any way bound upon this question.

MR. MARKHAM claimed to move, "That the Question be now put."

MR. LAURENCE HARDY said that those Members of the House who were not members of the Grand Committee had no opportunity of hearing the arguments on this question, and now it was being claimed that the House ought not to be allowed to have the full benefit of those arguments. He thought the learned Solicitor-General was not quite right in saying that the Amendment was contrary to the spirit of the Bill. It had already been pointed out that the title in no way limited it. In the only precedent which the learned Solicitor-General brought forward earlier in the evening, namely, the Coal Mines Regulation Act, 1877, there was a provision limiting the hours of work for boys and girls to fifty-four per week. Therefore, a week had been considered to be the natural term. If they turned to the Report upon which this Bill was founded they would find further evidence in favour of that contention. Therefore, the week was a term which had always run through these proposals in connection with limiting hours in coal mines. It was desirable to ask what were the number of hours which the Government believed the miners were going to work? They were told eight hours per day, and of course most people who did not know took the eight hours and multiplied it by six, imagining they were going to have a forty-eight hours week, and by that method they judged the output of coal. When they looked at the Report which had been issued they found that under the present system there was not going to be any reform whatever. It was just as well to make it perfectly clear that there was no chance of the eight hours per day being worked. Therefore, they should adhere to what was really the principle of the Bill, that was a forty-eight hours' working week per colliery. If they desired to limit the hours per day to ten as was done in connection with boys and girls under the Act of 1877, he had no objection, and he thought that would be rather an improvement upon the Amendment. But so far as the forty-eight hours was concerned it was distinctly within the limits of this Bill. It was a reduction from fifty-four hours, and, therefore, the argument just put forward by the hon. and learned Solicitor-General ought not to weigh with them in coming to a conclusion on this Amendment.

MR. BECK said he wished to associate himself with the speech which his hon. friend had made. They had now got a step further in the progress of the Bill. With regard to what the learned Solicitor-General had said, all he wished to say was that if he expected to have his theory of an even number of hours each day put into practice, he would have his hands full. He had before him the hours actually worked in the coal mines. In Monmouthshire the number fell short of eight full days in a fortnight, and in Swansea the same thing occurred, and so they might go on with other districts where they got one idle day and then a full day, and so on throughout the whole colliery district. He understood from the speech of the Solicitor-General that he disapproved of this practice, and approved of a regular daily number of hours of work. But how could a colliery proprietor calculate what would happen every day of the week? What they were arguing was that the principle of an eight-hours day of work was carried out by a forty-eight hours week, and the men would have a certain amount of liberty—that liberty was no doubt hostile to the Bill—but they did not approve of the spirit of the Bill, and they thought that the men should be at liberty to divide the forty-eight hours per week up in any way they please. He remembered talking over this subject with a gentleman interested in the question, who said that the only argument against it was that the Socialist Party had pledged themselves to a system of "eight hours work, eight hours play, eight hours sleep, and 8s. a day." He suggested that "forty-eight hours work, forty-eight hours play, forty-eight hours sleep, and 48s. pay" would look just as imposing upon a poster. It was trifling with the House to use arguments such as those they had heard from the front bench in regard to one of the most important Amendments moved in the course of the debate. For these reasons he should heartily support his hon. friend's Amendment if he pressed it to a division.

*SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said he had listened to the debate with a desire to learn what were the real arguments on which the Amendment was resisted. He thought the House had some right to learn from those who so repeatedly told them that they represented the working classes what were the real reasons which they suggested in support of the resistance which was being offered to the Amendment. Looking at the question fairly and impartially he could not see that the action of those who were opposing the Amendment was in any way in the interests of those they represented. They denied the right of any one section of the House to do that. They were just as anxious to look after the interests of all classes, including the class which hon. Gentlemen below the gangway thought they specially represented, as they were. They had been deprived by a conspiracy of silence on the part of hon. Members from hearing the arguments of hon. Gentlemen below the gangway. Being deprived of hearing their arguments they had had to be content with the arguments which had been put forward by the Solicitor-General. In his opinion, they could not have had greater travesty of argument than the travesty which the learned Gentleman gave of the arguments of the hon. Member for Brighton. He had said that they were bound in consistency to hold that a man ought to work more than forty-eight hours a week because they said in certain circumstances they would allow him to work ten hours on one or two days. The hon. and learned Gentleman said that if they allowed that they could not consistently object to a regular ten-hours day. He did not think that he was misrepresenting his argument when he said that, for when the hon. Member for Brighton argued that a ten-hours day might be allowed on one or two days a week, the hon. and learned Gentleman said that he was entirely inconsistent if he denied a man the right to work ten hours on every day. That was not the argument they put forward. They said the restrictions on the hours of labour were necessary, but it did not follow they must compress the limit of time to be worked into each twenty-four hours. The hon. Member for Yarmouth had rightly pointed out that it was against human nature that the workmen should submit to the slavish restriction imposed by the Bill. Not only was it against human nature, but he did not think that such a restriction was an ideal at which they should aim. Was it not the case with all who had worked hard in their time that they had repeatedly put on a spurt and worked longer hours in order to have a holiday? Would they like to be restricted to eight hours a day? Had they not occasionally—every one of them in their various occupations—worked more than eight hours a day in order to be able to have a holiday? Why should those who claimed alone to speak for the working men wish to impose this hard and rigid fetter on the working men? This was a fetter which they would not be prepared to accept for themselves. It was perfectly clear to every one who had listened to the way these Amendments had been resisted by the Government without argument, and without any reason for their refusal, that the aptitude for restriction grew on what it fed on. Now they were trying to impose restrictions on adult labour.

*MR. DEPUTY-SPEAKER (Mr. CALDWELL): The hon. Member must not make a Second Reading speech.

*SIR HENRY CRAIK: I am speaking strictly to this Amendment.

*MR. DEPUTY-SPEAKER: It is possible to speak to the Amendment and at the same time to make a Second Reading speech.

*SIR HENRY CRAIK said that presently they would have restriction applied not only to the day, but also to the hours of the day. They would say that at a certain hour a man must begin his work, that at a stated hour he must finish his work, that at a certain hour he must take his meals. Was that what the working men of the country wanted? Did they want a hard and fast rule as to when they should work and when play, when they should eat and when they should sleep? He was glad to dissociate himself from the future they were making for the working men of this country.

MR. RUSSELL REA (Gloucester) said his objection to this Amendment was that it was practically impossible to carry it out. How were they to restrict a man's weekly work to forty-eight hours? Was a man to carry forty-eight tickets which he was to give up hour by hour, or how did they propose it was to be done? Hon. Gentlemen opposite knew nothing about the matter. If a man was to be allowed to work thirteen hours one day, ten hours another day, and two hours on a third day, how was the colliery to be worked? Was a colliery to be worked sixteen hours a day in order that certain of the men might please themselves when they should work and when they should not?

MR. G. D. FABER: How is it worked now?

MR. RUSSELL REA said it was not worked with any such liberty as hon. Gentlemen opposite had implied. If they restricted the work in a colliery to forty-eight hours a week as regarded the machinery and the engines, they simply got an eight-hours day. The proposal which had been made would be found to be absolutely impracticable in practice, and an eight-hours day was the only possible method of regulating this industry with any degree of sureness that they would succeed.

MR. BELLAIRS (Lynn Regis) said he should not have risen had it not been for the severe attack which the Solicitor-General had made on the hon. Member for Brighton. It had become necessary in consequence of that attack that every one of those who agreed with the hon. Member for Brighton should associate themselves with what he had said. He claimed the right, though he thoroughly disapproved of the Bill, to vote for this Amendment, because he thought it would effect an improvement in the clause. He had been one of those who felt to a certain extent ignorant with regard to this measure. He thought they were entitled to have full answers from the Treasury bench on the questions which had been asked notwithstanding the proceedings in Committee upstairs. He had come into the debate many times and had been waiting to hear the voice of hon. Members who represented the miners. He was one of those who did not see the necessity for nursing a great industry which had something like 600,000 trade unionist members. He wanted to know what the representatives of the Durham mining industry thought in regard to this matter. Did they think that the Durham miners could not protect themselves although they had a trade union which in 1906 had an expenditure of £94,000?

*MR. DEPUTY-SPEAKER (Mr. CALDWELL): The hon. Member is not addressing himself to the Amendment. The Amendment is whether it is to be an eight-hours day or a forty-eight-hours week.

MR. BELLAIRS: The principle of an eight-hours day was discussed on the Second Reading debate.

*MR. DEPUTY SPEAKER: This Amendment only deals with the question whether it shall be an eight-hours day or a forty-eight hours week.

MR. BELLAIRS asked how was it then that comparisons had been drawn, and that they had had appeals by those who claimed the monopoly of humanitarian sentiment on this very question. The Solicitor-General had referred to the question of the health of miners, and he claimed a right to speak in regard to this and the other subjects that had been raised. Why were they applying this clause providing an eight-hours day to miners on the ground of health, when the health statistics proved conclusively that the health of the men was very good? They were told then, an eight-hours day would reduce the number of accidents, but he found that in 1907——

*MR. DEPUTY-SPEAKER: The hon. Member must not make a Second Reading speech.

Mr. BELLAIRS said he had been trying to follow the example of the Treasury bench, but in consequence of that ruling, he should defer his remarks to the Third Reading of the Bill. At the same time he thought the Government ought to give them some guidance in regard to this question.

Mr. BONAR LAW: I do not understand why there should be so much objection to the discussion of what is undoubtedly one of the most important points raised in the whole Report stage of the Bill. The point I have risen specially to refer to is the speech of the hon. Gentleman who was the Chairman of this Committee. I am bound to say that when he rose I expected to find some solid, tangible, arguable reasons given why this Amendment should not be accepted, but all that he said was that it is impossible. He said that to have a forty-eight-hours week will mean an eight-hours day. Has he absolutely forgotten his own Report? If he will look at the Report given by his own Committee he will find that the hours per week are often systematised in such a way that the length of the day varies. He says it is impossible to have a forty-eight-hours week without an eight-hours day, but it is known to everybody that this system does prevail.

Mr. RUSSELL REA: What I say is that this cannot be done at the caprice of an individual.

Mr. BONAR LAW: I did not hear anyone make any suggestion that that should be the case. I ask again, what possible reason is there why this law should be applied to mines, unless hon. Gentlemen who are interested in this case are not merely desirous of rushing the Bill through to-night, but have some other ulterior purpose. If the hon. Gentleman will consider for a moment he would see that there is a strong economic reason which should make this Amendment much more suitable for mines. In mines there are cases where the individual miner has to get to the bottom of the shaft, and then has to walk an hour to his work, and an hour back when he has finished his work. Would not that man prefer to spend that useless time three days a week in the open air even if he has to work longer on two days a week? I say, without question, that every argument that makes this a good principle for factories makes it an equally good principle for mines.

Mr. SHACKLETON (Lancashire, Clitheroe): There is a daily limit in factories. That is the point.

Mr. BONAR LAW: Does the right hon. Gentleman the Secretary of State say that there is not a weekly limit in factories?

Mr. GLADSTONE: There is a daily limit.

Mr. BONAR LAW: Is there not a weekly limit?

Mr. SHACKLETON: There must be. You cannot have a daily limit without a weekly limit.

Mr. BONAR LAW: The obvious point for which we are fighting is that a man should be allowed, if he chooses, to work longer hours from Monday to Friday in order to have a half-holiday on Saturday. I say that a man should have a right to decide whether the forty-eight hours to be worked each week should be graduated over all the days of the week. There is no reason whatever for pressing the scheme embodied in the clause in this rigid form. It has received the support of a great many hon. Members as a first step in what the President of the Board of Trade has described as a great onward movement; and it is for that reason that they support it and not for the sake of the miners.

Question put.

The House divided:—Ayes, 225; Noes, 57. (Division List No. 413.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Beale, W. P.
Beauchamp, E.

Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Boland, John
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Clynes, J. R.
Cochrane, Hn. Thos. H. A. E.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Crean, Eugene
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dillon, John
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kilbride, Denis
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Macknarness, Frederic C.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Laren, Rt Hn Sir C. B. (Leices.)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Meehan, Patrick A. (Queen's Co.)
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
O'Grady, J.
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Roberts, G. H. (Norwich)
Robinson, S.
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Sir Charles Edw. (Stafford
Shaw, Rt. Hon. T. (Hawick B.)
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stanley, Albert (Staffs, N. W.)
Steadman, W. C.
Strachey, Sir Edward
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thomson, W. Mitchell- (Lanark)
Thorne, G. R. (Wolverhampton)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring,Capt.Hn.G (Winchester
Barran, Rowland Hirst
Barrie, H.T. (Londonderry, N.)
Beck, A. Cecil
Bellairs, Carlyon
Bertram, Julius
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Chance, Frederick William
Coates, Major E. F. (Lewisham)
Cory, Sir Clifford John
Cross, Alexander
Davies, David (Montgomery Co.
Dixon-Hartland,Sir FredDixon
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Goulding, Edward Alfred
Gretton, John
Guinness, W. E. (Bury S. Edm.)
Hardy,Laurence (Kent,Ashf'rd
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
King, Sir HenrySeymour(Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lupton, Arnold
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Morrison-Bell, Captain
Morton, Alpheus Cleophas
Parker, Sir Gilbert (Gravesend)
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson,John Frederick Peel
Renwick, George
Ridsdale, E. A.
Roberts, S.(Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Smith,F.E. (Liverpool, Walton)
Starkey, John R.
Valentia, Viscount
Wilson, A. Stanley(York, E.R.)
Wolff, Gustav Wilhelm

TELLERS FOR THE NOES—Mr. Watt and Sir William Bull.

*MR. SPEAKER said the next Amendment standing upon the Paper in the name of the hon. Member for Great Yarmouth, which proposed to leave out the word "eight" and insert "nine," was out of order.

MR. FELL inquired why it was out of order.

*MR. SPEAKER said it would contradict the Resolution to which the House had just come.

*MR. FELL, in moving an amendment providing that the regulation "shall not apply to a new colliery being opened out until such colliery shall be in working condition for the regular output of coal," said he wished to draw the attention of the House to the case of a colliery which was being opened up. He did not desire that such a colliery should come within the scope of the Bill until it was in a working condition for the regular output of coal. He suggested that the whole intention and spirit of the Bill was that it should apply to a colliery in full working order in which the men went down in their shifts to the headings and working places and returned from the mine to the open air, but while a colliery was being opened out a different state of affairs existed. To begin with, the men were working in the open air and their work had nothing to do with the working of a mine. But if this Bill became law, and no exception was made, from the very moment a colliery started, these regulations would take effect in regard to men working in the open air putting up buildings and making the preliminary works for lowering shafts. In that case all these regulations would apply and they would only be allowed to work eight hours, and so on.

MR. KEIR HARDIE: As a point of order, Mr. Speaker, may I inquire if there is anything in this Bill which would refer to a man working in the open air and not underground?

*MR. SPEAKER: No. The words of the Bill are "below ground."

MR. FELL thought there were clauses in the Bill which would provide for the men over-ground—distinctly there were. He knew there were. [Cries of "No."] Well, there were the men who were winding. They were working above ground, and in the case of men who started sinking a shaft they were at first working in the open air though they must get down later on. [Cries of "How far do they get?"] He did not know that this was such an entirely comic affair as hon. Members seemed to think. He did not know what it was they were laughing at. Did his hon. friends below the gangway suggest that anyone sinking a shaft was doing the work contemplated by this Bill? He said they were doing a totally different work. The men who were sinking a shaft in the open air were not engaged in a mine, and the Bill should not apply to them. In many cases it was two years before a colliery was in a working condition for the regular output of coal, and during that time it seemed to him absolute common sense that regulations which were made for a working collier should not be applied to them. He did not wish to labour the point. He only put it to the House that there was a very great difference between the two cases. Take the case of a man who was sinking a well, or an ordinary bricklayer lining a shaft which was being sunk. Why should they have their hours of labour regulated more than ordinary bricklayers and labourers? He submitted that the opening of a colliery was just like the beginning of a factory, and the factory regulations would not apply until the factory was started. There seemed to him such an immense difference between the two that he was justified in suggesting and pressing upon the House an Amendment of this kind. Everyone would desire that collieries should be opened up as far and as soon as possible, and he did not think that work of that kind should be hampered by regulations such as those contained in the Bill. He had received many pamphlets and papers from landlords who owned coal land which they would not allow to be worked, and there was nothing that would stop the opening of such land like a Bill of this character if it applied to the preliminary operations. The owners of the coal land would wish to have the work done in the quickest possible way, and if these conditions of the Bill were applied they would be considerably delayed and certain men might not think it worth while opening a colliery at all. That would be to the prejudice of the country and to the prejudice of the men, and under these circumstances he begged to move.

Mr. BOWLES seconded. It was perfectly true, as was suggested by the interruption from the benches below the gangway, that the Bill applied only to persons below ground, but the work of opening up a new colliery was for the most part work above ground. He was not an expert lawyer, but it appeared to him that such work would be covered by the Bill, and he did not imagine that anybody desired that it should come within the scope of the measure. He thought the House was under a debt of gratitude to his hon. friend for having pointed out this difficulty and moving this Amendment. If the Government were satisfied and gave an assurance that this case was not within the Bill, he was sure his hon. friend would withdraw his Amendment.

Amendment proposed—

"In page 1, line 9, at the end, to insert the words 'but this shall not apply to a colliery being opened out until such colliery shall be in a working condition for the regular output of coal.'"

Question proposed, "That those words be there inserted."

Sir S. EVANS said they would be very sorry to do anything by this Bill to discourage the opening out of new collieries, but he did not think that the hon. Members who moved and seconded the Amendment need be under apprehension on that point. He did not think the Amendment was necessary, because the contingency of sinking a new shaft and opening out a new colliery was already provided for by the Bill. The measure provided for the fixing of the hours of lowering and raising of the men to whom the Bill applied by means of shifts, and the clause would not apply to the ordinary men employed in sinking a shaft, and in working above ground. The Amendment of the hon. Gentleman went, however, a little further, and he said that the Act should not apply at all to a new colliery—whatever a new colliery was, and he was sure he did not know—until such colliery should be in a working condition for the regular output of coal. It was not possible to say what was meant by those words "the regular output of coal." Provision was made applicable to sinking operations, and it was quite certain that the Bill would work injustice to nobody. Practically speaking, the eight hours allowed by the Bill might be utilised and would be utilised in the working of coal.

*Mr. CARLILE (Hertfordshire, St. Albans) merely rose to ask a question. The hon. and learned Gentleman had just referred, he supposed, to subsection

(7) of Clause 1 in reference to sinking operations, but he noticed that under sub-head (*b*) the number of hours would not exceed six, so the hon. and learned Gentleman had not explained how that provision helped them. What they wanted was to protect experimental work, that the hours of men engaged on that work might exceed eight, but the hon. and learned Gentleman alluded to a sub-head which said that the hours should not exceed six.

Sir S. EVANS said that was only a case which applied to an ordinary shift in which the workman was working, but that did not affect the Amendment or the observations that he made.

*Mr. CARLILE pointed out that that did not help them in the least.

Amendment negatived.

Mr. RIDSDALE moved the insertion of the following proviso in Clause 1 :—"The workmen in any mine may, by a majority of them signing a declaration to that effect, contract themselves out of this Act. Such declaration must be notified to the Secretary of State for the Home Department, and, one month after such notification, the provisions of this Act shall not apply in that mine." He said the Amendment was put down with the object of bringing into the Bill a little more elasticity than was at present contained in it.

Mr. HUNT : May I ask, Sir, whether my Amendment does not come first ?

*Mr. SPEAKER : The hon. Member's Amendment does not come either first or last. It is out of order.

Mr. RIDSDALE respectfully submitted that there was nothing in his Amendment which was contrary to the spirit of the Bill as a whole. According to the spirit of the Bill the majority of the miners of the country were to be allowed to impose their will generally, but in his Amendment he suggested that a majority of men in the particular mines who desired to do so should be able to extend the limit and to contract themselves out of the Act and work forty-eight hours a week or any hours which they in their absolute discretion thought fit. It was obvious that the circumstances of mines might vary very much indeed, and that while certain mines might well come under the operation of the Bill, other mines would be very much pressed by it. It might be a question as to whether a mine would not have to shut down in consequence of the restrictions which the Bill placed upon it, and in that case it was only fair to the men that they should have an opportunity of saying whether they should not be allowed to work a few more hours. He did not see that it destroyed the Bill in any particular. If a mine in some part of the country was in such a condition that it would have to shut down, and the men by a vote of the majority said that they wished to put the mine in a position to continue working, was this a time, when unemployment was so rampant throughout the country, to say that the miner should not have an opportunity, if he so desired, to work nine or ten hours a day in order to keep a home over the heads of his wife and children ? It was absolutely preposterous. The Amendment did not impose on anybody the necessity to work so many more hours than they were pleased to do. It merely allowed the majority of the men, if they chose, after considering the situation in meeting assembled, to say by a majority that they did not wish to be fettered by the operation of the Bill ; to sign a declaration to that effect, and having sent it up to the Home Secretary, enable him to say, after one month, which would give him plenty of notice, that in respect of such and such a mine this Act should cease to run. The Solicitor-General might accuse him of trying to wreck the Bill again if he proceeded to expound the various reasons which he could adduce in support of the Amendment, but he thought the Amendment spoke for itself, and he was content to leave it to the House to say whether or not it ought to be accepted. He wished now to touch for one moment on a personal point. He would like to reply to the hon. and learned Gentleman with regard to the remark that he always attacked the Government. If the hon. Gentleman looked up the record, he would find that he had voted over 800 times during the last three years in support of the Ministers of the Crown, and he would be very much surprised if, when the hon. and learned Gentleman looked up his own record, he found that he had supported the Government as many times. He thought, therefore, it should be open to him, when he found there was a Bill which he did not think was quite just, to express his opinion freely upon the subject without being accused of disloyalty. With these few words he ventured to submit the Amendment to the House.

*MR. HUNT said he was glad to be able to second this Amendment, although he was in favour of the principle of the Bill, because the principle of the Bill, like the principle of tariff reform, was for the protection of labour. It seemed to him that the miners of a particular mine certainly ought to be able to have a chance of working more than seven hours a day, at all events during some days of the week, if it really suited them, and they really wished to. There was this to be remembered, the men in some mines, especially old men, where they had to travel underground for two or three miles to get to their work, would be very severely handicapped indeed with younger men in other mines who perhaps had only to walk a quarter of a mile. Under this Amendment, as he understood it, the eight hours bank to bank law would still remain unless the workmen in any mine took the trouble themselves on their own initiative to call a meeting and decide among themselves that it would be better for the men in that particular mine to work for longer hours on some of the days in a week. Neither the manager nor the mine owner would have anything to do with it. As he understood it the law would not be altered unless the majority of the men who actually worked in the mine voted in favour of longer hours. It would not depend upon the number of the men who voted, but on the number of the men in the mine. The working of the mines was so very different in many parts of the country that he certainly could not think that it would be right to compel every miner in every mine to be tied down to exactly the same time every day, especially when they remembered that the hours of work would be much shorter than those which men were compelled to work in a great many other industries where the work was also arduous. The miners in his division were very much in favour of the Eight Hours Bill, and their reasons for being in favour of it were very definite—one was that now in these mines the owners and managers compelled them to take one hour for their mid-day meal, and that did not suit them, because they found that, owing to the atmosphere in the mine, directly they had had their food they were quite unable to keep themselves awake, the consequence was that they went to sleep for about threequarters of an hour, and when they woke up they were so stupid from being asleep in that atmosphere that they were unable to work properly for about another half-hour. Many of these men desired the Eight Hours Bill because they wanted, and he thought rightly, to be able to take their food in ten minutes or a quarter of an hour and go straight back to their work and lose no time. But it was quite different in other mines even in the same county. In the adjoining division he might say that to his certain knowledge a good many of the miners in the last bye-election, although they wore Liberal colours, so as not to offend their leaders, voted for the Conservative candidate for the sole reason——

*MR. SPEAKER said that the hon. Member must address himself to the Amendment.

*MR. HUNT was very sorry that Mr. Speaker had had to call him to order. The owner of the largest mine said practically the same thing. He said that it would make no difference to the output whether the miners worked on the eight hours principle or whether they worked as they did now. If they were not allowed to stand out if they wanted to, and if this Bill was passed in its present form, it would deprive the miners of their freedom and prevent them from making up for time lost by illness or for any other reason. After all, the miners were grown up men, and had a very good idea of looking after themselves. Some of the old mines which had narrow and often difficult seams to work would become absolutely unprofitable if this compulsory bank-to-bank law was insisted upon, and the effect of that would be to throw a good many men out of employment, and probably make coal dearer by reducing the supply, with the possible result that many men engaged in industries in which coal was largely used would also be thrown out of employment. It should also be remembered that year by year more and more men even under the present conditions were being driven out of the skilled trade into the coal mines by unfair foreign competition.

*Mr. SPEAKER pointed out that the hon. Member had not yet even approached the question under discussion.

*Mr. HUNT did not know whether he would be in order in saying that it seemed to him if none of the miners were allowed to contract out that the older and more difficult mines would be given up. The Bill would take away the means of livelihood of those who desired to work half a day longer, and they would be obliged to leave their work and have to tramp the roads with very little prospect of finding employment elsewhere. He thought that until the supply of employment in this country was very much better than it was at present, it could not be a good thing that grown-up men should be tied down to work only seven hours and even less in some cases by what was practically State compulsion, and from this cause be obliged to run the risk of being unnecessarily deprived of their work or of having their weekly wages reduced. He therefore thought the Bill should not be allowed to pass without some Amendment on these lines, which would give the men a chance of some freedom to work the number of hours that suited them best.

Amendment proposed—

"In page 1, line 9, at end, to insert the words 'The workmen in any mine may, by a majority of them signing a declaration to that effect, contract themselves out of this Act. Such declaration must be notified to the Secretary of State for the Home Department, and, one month after such notification, the provisions of this Act shall not apply in that mine.' "—(*Mr. Ridsdale.*)

Question proposed, "That those words be there inserted."

Sir S. EVANS: I am afraid the Government cannot accept this Amendment, because it goes dead against the principles of the Bill and would allow contracting out in the case of mines being worked by the same employers, mines which were absolutely contiguous, and which, but for the Act of 1878, would be the same mine. That should be a sufficient answer to this Amendment, but I might perhaps be allowed to point out one or two matters with regard to it, to show how difficult the working of the Amendment would be in itself. The hon. Member proposes that in any mine the majority of the men should be able to bind the other men to contract out. Fifty-one per cent. could bind 49 per cent. to contract out. Then again, how often could they determine whether they should contract out or not. Could they do it every month? Could they do it periodically? Again, there is no machinery for finding out what the majority of the miners thought, and the consequence would be that the majority not always being the same majority there would be a sort of in-and-out process of contracting out. I am afraid, therefore, we cannot accept the Amendment. With regard to the personal observations of which my friend complained, I can assure him I did not make them in any bad spirit at all, and was far from accusing him of any disloyalty to the Government, a thing which I should never do. What I said had reference to the arguments he used.

Mr. RENWICK (Newcastle-on-Tyne) said he had listened to the whole of the debate on this Bill, both yesterday and to-day, and particularly with regard to this important matter—important to the district he represented, important to the cities and counties of Durham and Northumberland, of which Newcastle very properly was called the metropolis—and this was the first time he had attempted to speak upon the matter. It was the first time that he had seen the slightest chance of anything that would help to get Northumberland and Durham out of a difficulty in which they were at the present time. The hon. Member who moved the Amendment said he might be accused of wrecking the Bill. If he himself had to choose between wrecking the Bill and wrecking this great industry in the North of England, he should not have any hesitation in doing his best to wreck the Bill. During the whole course of the debate he had listened in vain for anything from the miners' representatives from either Northumberland or Durham to assist those counties in the matter. He certainly did expect, from what he knew of the miners and their representatives in the House, that they would have had the courage to have told the House whether or not they were in favour of the views which they had expressed time and again when these Bills had been before the House. He remembered on a former occasion when he was a Member of the House he was asked at the express recommendation of Northumberland and Durham not only to speak on similar measures but to do his best to help them out of the difficulty in which those measures involved them. Since then a change had taken place, the members of the Miners' Union of Northumberland and Durham had joined the Miners' Federation. The political situation had changed but the economic reasons against the Bill remained, and there was the greatest uneasiness in the city of Newcastle and the surrounding district, which was an important district, upon the matter. He had had innumerable letters and telegrams from various organisations in Newcastle, urging him to do his best to oppose the Bill, but he had not received any resolution from the other side. He wished to keep as strictly as possibly to the Amendment, and he was going, out of the mouths of the miners' representatives of Northumberland and Durham in the House, to give reasons why the House should take this opportunity to support the contracting-out principle being incorporated in the Bill. In 1902 the hon. Member for the Wansbeck division, speaking on an Eight Hours Bill, said—

> "I sincerely hope this House will not be induced to pass such legislation, but if it does I trust in Committee the same justice will be granted to us as was granted in 1894 by accepting a local option clause."

At that time, the hon. Member recognised the importance of the local option clause to protect the coal industry of Northumberland and Durham. The same necessity was present now, and they ought to have an opportunity to contract out. The Home Secretary had told them that it was acknowledged that Northumberland and Durham were entitled to exceptional treatment, but the right hon. Gentleman had failed to tell them what that exceptional treatment should be, and how he was prepared to deal with the difficulty with which they were faced. They had been told over and over again by miners' representatives of these two counties that it would be an impossibility under such a Bill as this to carry on their industry. The hon. Member for Wansbeck said—

> "The House may pass the Second Reading, but I ask the House to hesitate before they inflict, as this Bill would inflict, a much greater hardship than they perhaps have realised, on the miners."

Those were weighty arguments coming from men who knew what they were talking about. Could anyone be surprised that the heads of the great industrial works and consumers generally throughout the north of England paid attention to the warnings of experienced men such as the hon. Member for Wansbeck and others undoubtedly were? As they had not had the courage to tell the House their opinion had changed, and they had no reason to alter it from an economic point of view, the House was justified in believing they held this opinion still. The hon. Member for Mid-Durham in 1903 said the miners in the north of England only asked to be left to themselves. He asked now on behalf of the miners of Northumberland and Durham that they might be left to themselves, and allowed to work out their own salvation. The hon. Member for Gateshead, the sister borough of Newcastle and a prominent Member of the Durham Miners' Federation, said that if this Bill passed, he believed it would be the worst day's work that the House of Commons had ever done, so far as the miners were concerned. Surely if the hon. Member believed that, he should now have the courage to rise and tell them why he made that statement, and whether it was on a false assumption or not. Until he told them that he had had reason to alter it, he was afraid he was justified in keeping the hon. Member to that assertion, and in believing that if the House passed this Bill now, it would be the worst day's work that the House of Commons had ever done for the miners. The hon. Member said that in 1904. What had happened since 1904? Not very much. The same hon. Member opposed the Eight Hours Miners Bill only last year. In April last the hon. Member said that rightly or wrongly the miners thought that if that Bill passed, it would be detrimental to the miners themselves. That showed that as recently as last year the hon. Member still held to his opinion. He would give some other weighty arguments in support of his contention that Northumberland and Durham were entitled to the right to contract themselves out of this Bill. There was a ballot taken of the Durham Miners' Union in 1902, and in that ballot 12,684 miners voted for the Bill and 28,127 against it. That was in 1902, and since then something else happened. In 1903 another ballot was taken and less than 13,000 out of 80,000 voted in favour of the Bill. In Northumberland recently a ballot was taken in connection with this Bill, when, out of 28,275 members of the Northumberland Miners' Union, only 30 per cent. voted in favour of it. Those were most weighty arguments, but he had even more weighty arguments in favour of contracting-out. He had there the Report of the Departmental Committee which stated that the system of liberty at present prevailing in the mines of Durham and Northumberland was one of inconceivable efficiency and one to which both the managers and the miners, the workers and the employers, appeared to be attached. Further, they said that the problem was one of an exceedingly difficult character to solve, and they found that it was the opinion of all that the remedy could not be accomplished without some increase in the under-ground labour. They had the statement of the Miners Union of Northumberland and Durham that it would be impossible to work their industries in these circumstances. Therefore, he maintained that they were justified in asking for power to contract out of the Bill. What was the difficulty that they had in Northumberland? They had there a deeply rooted objection on the part of the miners to work night shifts. They did not work themselves on an average anything like eight hours, but they had two relays of hewers served by one set of boys, and they had it upon the authority of the hon. Member for Wansbeck that it was an absolute impossibility, with the number of boys that they had at present, to work under any different conditions. Here were some of the words he used. He said—

> "Let the House understand that we have a full complement of hewers. Every place is full. We want no more."

And yet the only condition under which they could work three shifts, if the men themselves would agree to it, would be by calling in a larger number of boys who, when they had reached a certain age, would not be able to find employment as hewers. If that was not exploiting boy-labour, which right hon. Gentlemen had recently condemned, he did not know what was. Therefore, he thought he was justified in appealing to the House on behalf of the great coal industry of Northumberland and Durham to give them that power which the leaders of the miners had over and over again told them it was absolutely necessary that they should have. He appealed to the leaders of the miners' party in Northumberland and Durham to have a little of that courage which they knew they possessed, to speak out like men and tell them that which they were entitled to know, whether the result of the Bill was going to be, as they had told them it was, an increase in the cost of the production of coal which would make it almost an impossibility to carry on the coal industry in Northumberland and Durham.

*MR. HERBERT SAMUEL: I intervene only for a moment in reply to one passage of the hon. Member's speech. He has given the House the impression that the Departmental Committee which considered the matter came to the conclusion that the problem was specially difficult in Northumberland and Durham, and that for that reason contracting-out arrangements should be allowed if only for the sake of those two counties. Precisely the opposite was the conclusion of the Committee. They say on page 39 that the problem in Northumberland and Durham is easier than elsewhere. And in another passage, which the hon. Member carefully omitted to quote, although he quoted passages just before and after it, they say—

> "We are convinced that whether, by the institution of three shifts of hewers, or two uniform shifts of eight hours for all classes, or by some other arrangement, the same organising ability and the same co-operation between the employers and workers which has evolved the present system, would succeed in evolving a satisfactory substitute for it should the necessity arise."

MR. RENWICK: I distinctly stated that miners of Northumberland and Durham were opposed to the three-shift system. I mentioned that particularly.

VISCOUNT CASTLEREAGH said the Solicitor-General told them it was contrary to the spirit of the Bill that contracting-out rather than local option should be allowed. He thought the House would recognise that it was not contrary to the spirit of all the Government Bills that local option should be allowed. But he did not want to comment on the remarks of the hon. and learned Gentleman. He wanted to ask the representatives of labour what was their considered attitude with regard to this Amendment. Were they disposed to accept it or to reject it? He should like one of them to rise in his place and give the reasons why he was going to reject it. They had heard a great deal of "trust the people." He did not think any hon. Gentleman below the gangway would say that if a poll was taken of the miners of Durham, there would not be a very large majority for allowing them to contract out of the Bill. He sincerely hoped one of those hon. Gentlemen below the gangway would follow him and give the reasons why they were proposing to reject the Amendment. Was it that they believed that by contracting-out some benefit would accrue to that community who were desirous of contracting-out? Did they think there would be a larger output of coal, and that the community which put out the larger amount, the Durham miners, would be in a better position than those who were hampered by the restriction put upon them by this Bill; or did they think that this large and important and well educated community were a misguided people who were desirous of injuring their health by working longer hours, and that it was the duty of the House to stop them doing what was obviously injurious to their health? He had observed in the debate a conspiracy of silence among Gentlemen below the gangway. What was the reason for it? Had they a bargain with right hon. Gentlemen on the front bench opposite that if the Bill passed, they were going to assist them to put another measure on the Statute-book? They had been singularly unfortunate. He had no doubt, that by hook or by crook, by going back on all they had said on local option on other Bills they were going to pass this measure contrary to every principle which they had put forward in the past. He challenged any hon. Gentleman who sat below the gangway to rise in his place and give him some conclusive answer to the questions he had put forward.

MR. MARKHAM said the acceptance of this Amendment or of any contracting-out clause whatever would be absolutely destructive of the Bill, and he could conclusively prove that in a few minutes. Some eight or nine years ago, if local option had been accepted by the miners, and no one knew this better than the hon. Baronet on the front bench, it was agreed that this Bill would be passed by both Houses, but the miners' representatives showed that it would have proved absolutely destructive to the coal trade. What would happen if any contracting-out clause was introduced? There was the keenest competition between Yorkshire and Northumberland and Durham. The exports of coal from Hull and Newcastle entered into the keenest competition. If they laid an obligation on employers of labour that they were not to work more than a limited number of hours it would be manifestly unjust that they should say that the Yorkshire miners should work eight hours a day while their competitors were allowed to contract themselves out. If Parliament in its wisdom chose to limit the hours of labour they must regulate the conditions under which the men worked having regard to that limitation. If Parliament placed no statutory obligations on employers and employed that they were not to work more than a limited number of hours they would be keeping the door open to free competition, but if they restricted in some counties the hours which men might work and allowed other districts to contract out, they would simply be taking trade from one district to another.

Mr. BOWLES said that the hon. Member appeared to have omitted to observe that the power of contracting out was not raised exclusively, if the Amendment were carried, in Northumberland and Durham, but would be equally given to all districts.

Mr. MARKHAM said that the hon. Member had not read the Amendment. The Amendment gave no power to the employers whatever. It was entirely left in the hands of the men. It would be manifestly unjust to lay a statutory obligation on him to work his men for a limited number of hours if they give the right to the men in the North of England to work more than that number of hours. He had stated, and he believed the future would show that he was not wrong, that in the federated areas the production of coal would not be decreased by the Bill for the reason that the number of play days would be increased, and the men would work longer hours in the summer time than they had in the past. But the Amendment was whether they were to allow contracting out under the Bill, and the matter was one of such vital importance that the miners' representatives, especially the late Mr. Pickard, recognised well that if the contracting-out principle was established, great injustice would be done to different colliery districts by the trade being taken from one district to another. Then they heard all this talk about Durham. He had asked earlier in the evening why it was that the Durham representatives came to the House and told them—and it was the only district in the world, he believed, where two sets of hewers had the coal taken away by one lot of boys—that the coal-fields in Northumberland and Durham could not be worked except under these conditions. He said, with the experience he had of mines in all parts of America and the Continent, there was not a single case in this country or anywhere in the world where this system of coal-getting existed. He did not believe it could be denied that coal would be got just as economically under the new system as at the present time. He asked the House to reject this Amendment, which would cause grievous injury by taking trade away from one locality to another, and would destroy the whole purport of the Bill.

Lord R. CECIL said surely they must know where they stood. The defence of the hon. Member for Merthyr yesterday was quite simple and short. He said that so far from reducing the output and inflicting any injury on the coal trade whatever, it would increase the output and do nothing but good to the health of the workmen. Coal owners and miners alike would benefit by it, and it would be a great advantage to them. The only thing was that Parliament in its wisdom must show them which way the advantage lay. Now came the hon. Member for Mansfield who said exactly the contrary.

Mr. MARKHAM: I only said it will increase the price of coal from 4d. to 6d. a ton.

Lord R. CECIL said they wanted to know which was the truth. Was it going to reduce the output or increase it? Hon. Members opposite could not have it both ways. They must make up their minds whether it was going to increase or reduce the output. If it was going to reduce it the whole argument they had always urged against the Bill was perfectly sound and just, and they were running a great risk of dislocating the coal industry of the country. If they were not really going to reduce but increase the output there would be no injustice in allowing each district to decide whether they would take advantage of this Amendment or not.

Mr. BOWLES said he should like to express to the House the complete confusion in which the speech of the hon. Member for the Mansfield Division had landed him. The Bill had been recommended to the House as a measure conferring undoubted advantages upon the whole of the mining industry of the country, more especially as far as the miners were concerned. The hon. Member for Glamorgan told them that the miners stood as a solid body in favour of the Bill. If that were true, upon what earthly grounds did the hon. Members below the gangway resist this Amendment? If this was a Bill for conferring undoubted advantages on the mining community, why were they afraid of letting the workmen say, after a trial of those advantages, whether in their opinion they were real or not. But on the top of that they had the hon. member for the Mansfield Division saying that in his opinion if any district took advantage of the Amendment that district would have a gigantic advantage over other districts. Under those circumstances he asked the House seriously as reasonable men to consider whether it was possible any longer for hon. Gentlemen opposite to take the view which they had taken upon the question. The only argument which had been used by the Government against the Amendment was one which the Government always used when they had no other. The Solicitor-General said he could not accept the Amendment because it was not the Bill. Of course it was not the Bill. If it were the Bill it would be impossible to move it as an Amendment. It was ridiculous to say the Government could not accept the Amendment because it differed from what was contained in the Bill. The question was whether the principle of the Amendment was more just and sound than the principle contained in the Bill. Hon. Gentlemen below the gangway owed the House a duty in regard to this matter, and they ought to inform them what their real opinion upon the Bill was. Instead of doing that they sat in complete silence, and putting that silence to the kind of speech they had just listened to from the hon. Member from Mansfield, he was forced to the conclusion that the only way of making the Bill work justly and fairly with a reasonable amount of elasticity among the miners was to adopt an Amendment which would give a reasonable amount of liberty to the miners in regard to their hours of work.

Mr. STANLEY WILSON appealed to the front bench to give them some information in regard to the important questions which had been raised by the noble Lord. He wanted to know which was the correct view, that given by the hon. Member for Merthyr Tydvil or the one presented by the hon. Member for the Mansfield Division. He found himself in a position of some considerable difficulty. He had on various occasions recorded his vote against local option, because that was a thing which he did not like and did not approve of in any way. He gathered from the speeches of hon. Members who had already spoken, and particularly from those who represented Northumberland and Durham, that the conditions of labour in those counties were of a peculiar character, and varied considerably. The Amendment would be of assistance to those counties. In this matter he appealed for some direction to hon. Members below the gangway who represented those counties. He saw the right hon. Gentleman, the Member for Morpeth, in his place, and he was one whose voice they had not have heard in this debate, and they were always ready to hear his views. He was sure if he would give them his opinion he would be able to direct them upon the right road. He appealed to him to give them some direction as to the way they ought to vote, and as to whether they ought to support this Amendment.

Mr. HARMOOD-BANNER (Liverpool, Everton) said he did not think the House ought to consider this question merely as a dispute between the miners of Northumberland and Durham and other places. Under the operation of contracting-out a preference was going to be given to one district over another. On this occasion he was sorry he should be bound to vote against the proposal made by his hon. friend. This matter was not a matter between the Northumberland and Durham miners and their representatives, though he agreed with his hon. friends around him that it was singularly unfortunate that they had not had any enlightenment from the representatives of those districts as to what their opinion was, for such an expression of opinion might have been useful in other matters connected with the Bill. It would be idle for the House to accept the conclusion, however, of either Northumberland or Durham upon this matter, and to take it as a basis of their opinion as to whether they could accept a clause which would be injurious to the whole trade. On the contrary, he hoped the hon. Member who proposed the Amendment would withdraw it, seeing that it was absolutely impossible to accept it in the interests of the whole community.

MR. J. F. MASON said his hon. friend who had just addressed the House spoke entirely from the coal-owners' point of view, but the proposal now before the House was designed not for the benefit of the coal-owners but for the coal miners. He could quite understand, as his hon. friend and the hon. Member for Mansfield could see, that if one particular mine had the advantage of contracting out under this Bill, it would be against the interests of others in a better position, but that was no reason why they should deprive these miners of an opportunity to contract out. It was suggested that it would not be right to allow a bare majority to deprive the remainder of the advantages of this Bill, but it was quite possible to alter that by saying that the majority should not be a bare majority but a two-thirds or a three-fourths majority, although at the same time he would remind the House that for the time being even a bare majority would faithfully represent the preponderance of feeling among the miners.

MR. GLADSTONE: I do not rise to continue the discussion, but merely to make an appeal to the House that they should now come to a decision one way or the other upon this point. That decision having been come to, I then propose to move the adjournment of the debate.

Question put.

The House divided:—Ayes, 55; Noes, 232. (Division List No. 444.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F.
Arkwright, John Stanhope
Banbury, Sir Frederick George
Baring, Capt. Hn. G. (Winchester
Barrie, H.T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beauchamp, E.
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cross, Alexander
Davies, David (Montgomery Co.
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Lambton, Hon. Frederick Wm.
Lupton, Arnold
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Nield, Herbert
Paulton, James Mellor
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Starkey, John R.
Talbot, Rt Hn. J.G. (Oxf'd Univ.
Valentia, Viscount
Wilson, A. Stanley (York, E.R.)

TELLERS FOR THE AYES—Mr. Ridsdale and Mr. Beck.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Asquith, Rt. Hn. Herbert Henry
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Beale, W. P.
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn

Mr. Harmood-Banner.

Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins,SirWm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett,C H (Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.)
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C.(Barrow-in-Furness)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gurdon,Rt Hn.SirW.Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Harcourt,Robert V. (Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harvey,W.E. (Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Hazel Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.

Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kilbride, Denis
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Lamb,Edmund G.(Leominster)
Lambert, George
Lamont, Norman
Lehmann, R. C.
Lever,A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lough, Rt. Hon. Thomas
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh,Jeremiah (Down,S.)
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kenna, Rt. Hon. Reginald
M'Laren,Rt.Hn.SirC.B.(Leices.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Morrell, Philip
Morrison-Bell, Captain
Morse, L. L.
Murphy, John (Kerry, East)
Murray,Capt.Hn A.C.(Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson,Charles N.(Doncast'r
Nolan, Joseph
Norton, Captain Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Powell, Sir Francis Sharp

Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk, E.)
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea,Walter Russell (Scarboro')
Redmond, John E. (Waterford)
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards,T.F.(Wolverh'mpt'n.)
Roberts, G. H. (Norwich)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rutherford, V. H. (Brentford)
Samuel,Rt.Hn.H.L.(Cleveland)
Schwann, C. Duncan (Hyde)
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw,Sir CharlesEdw.(Stafford
Shaw, Rt. Hon. T. (Hawick B.)
Silcock, Thomas Ball
Sinclair, Rt Hon. John
Soares, Ernest J.
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Staveley-Hill, Henry (Staff'sh.)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas,David Alfred (Merthyr
Thompson,J.W.H.(Somerset,E.
Thomson, W. Mitchell-(Lanark)
Thorne,G. R. (Wolverhampton)
Tomkinson, James
Toulmin, George
Trevelyan Charles, Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward,John (Stoke upon Trent)
Waring, Walter
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E.(Clackmannan
Watt, Henry A.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Sir Luke (York, E. R.)
Whitehead, Rowland
Whittaker,Rt.Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson,J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)

Tellers for the Noes—Mr. Joseph Pease and Master of Elibank.

Motion made, and Question, "That further consideration of the Bill, as amended, be now adjourned,"—(*Mr. Secretary Gladstone,*)—put, and agreed to.

Bill, as amended (in the Standing Committee), to be further considered Tomorrow.

EAST INDIA LOANS BILL.

Considered in Committee.

(In the Committee.)

[Mr. CALDWELL (Lanarkshire, Mid) in the Chair.]

Clauses 1 and 2 agreed to.

Clause 3:

*DR. RUTHERFORD (Middlesex, Brentford) said that in moving the Amendment standing in his name he would be very brief, knowing how hon. Members were exhausted after the long sitting of the previous day. The Bill asked for a loan of £25,000,000, £20,000,000 of which were to be spent on railways and irrigation works and £5,000,000 for general purposes. His Amendment was to reduce the £20,000,000 for railways and irrigation to £10,000,000. His first reason was that when the late Government were in power in 1898, they only asked for £10,000,000, so that if they reduced the £25,000,000 asked for by this Government by £10,000,000, they would still have the power to raise £15,000,000. He understood that the Government had £1,500,000 from the old loan of 1898 in hand. His second reason was that if the Government were only allowed to raise £10,000,000 the Indian Government would have to come to this House to ask for more, and then the House of Commons would be able to review the expenditure of the previous loan. The House of Commons was supposed to be the Grand Inquest of the Empire, but they would not deserve that title unless they reviewed all expenditure in India until Indians were endowed with a Government of their own. His third reason for moving the Amendment was that they should, as far as possible, limit the amount of European money that was sent to India. After all, there were serious drawbacks to our raising money for India at the present moment. The Under-Secretary for India admitted the other night on the Second Reading of the Bill, that pressure had been put upon him, and that it was due to that pressure that the Bill had been brought forward chiefly in the railway interests. Those who agreed with him thought there was something more important than railways. The railways had been laid down quite to the satisfaction of the people of India, but irrigation had not been developed to the same extent. Now, irrigation was the economic salvation of India, and yet £176,000,000 had been spent on railways in that great dependency and only £29,500,000 on irrigation. He trusted that the Government of India, in using their powers in spending this money in India, would consider that their first duty was to spend more on irrigation than on railways. It should be remembered that India was an agricultural country, and money spent on irrigation went to develop not only agriculture, but one of the greatest sources of revenue. We had had the experience of Egypt which we had converted from a wilderness into a garden, to a very large extent, chiefly through irrigation. Then there was the question of foreign investments in India, and there was a fear entertained that if large sums were so invested it would interfere with the natural political development of the country, and that the national movement would not have the same opportunity of getting a great reform as it otherwise might have. They knew something about the sinister influence of finance in the politics of this country, and they had all heard how Lord Rothschild, exercising his influence in another place, had destroyed an important measure. He wanted to ask the Under-Secretary a very serious question. It had reference to Sir Charles Elliott, who was lately Lieutenant-Governor of Bengal, convening a meeting to oppose the reform measure that Lord Morley was going to introduce into India.

*THE DEPUTY-CHAIRMAN (Mr. CALDWELL, Lanarkshire, Mid.) said the hon. Member's Amendment was to leave out "twenty" and insert "ten," and it was a question of whether £10,000,000 or £20,000,000 should be given. He was now raising a question outside the Amendment.

*Dr. RUTHERFORD said he was obliged by the ruling, but he feared that it was a very serious and grave matter. The House of Commons appeared to be the proper place to ventilate it, as it did after all bear on this expenditure. He would, however, defer to the Chairman, and leave it to the Under-Secretary to say what he could about the matter. He hoped the Committee would accept the reduction for the reasons he had given. He begged to move.

Amendment proposed—

"In page 1, line 15, to leave out the word 'twenty,' and to insert the word 'ten.'"—(*Dr. Rutherford.*)

Question proposed, "That the word 'twenty' stand part of the Clause."

*The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.) said that the hon. Member moved the reduction of half the amount which they proposed to insert in the Bill in regard to railway construction. That would be a distinct step backward from the policy which had been pursued for a great many years past not only by this but by previous Governments. The last Railway Loan Bill was in 1905, and it proposed to give the Secretary of State power to expend £20,000,000, the same sum which was suggested here for railways and irrigation. The year 1905 was little more than three years ago, but they had spent all the money, and he thought anybody who had studied the question would recognise that the money had been well spent. He ventured to point out in the speech he made the other night that it was not due to any financial pressure that this demand was made, but to the strong desire of those interested in India that they should press forward steadily in the further development of railways and irrigation, but above all with railways. The greater part of this money which they asked for now, about three-fourths, would probably be used for improving railways already existing, and not for constructing new lines. He quite recognised the importance of the arguments used by his hon. friend, but he thought that was hardly the time to enlarge upon the subject he dealt with. He did not think it could be said that the supply of British capital for the development of her resources had been otherwise than on the whole beneficial to the people of India. There could be little doubt, moreover, that the extension of railways and irrigation had increased largely to the benefit of the population, and he did not care very much where the money came from so long as it was well spent as it had been in India. He thought it was important to know that a large amount of the money lent had been contributed by Indians. From the short investigation he had made he thought the position of rupee paper was satisfactory, and a good third of it was held not only in India but by Indians.

*Sir H. COTTON (Nottingham, E.) said he wished that the right hon. Gentleman had deferred his reply until he had heard the few observations which he proposed to make. He wished for some explanations as to the financial position which had led to a proposal to raise these large loans. He found that among other sources from which money for railways might be derived was the profit from the coinage of rupees. There was a very large profit made from that source. It amounted at the present moment he believed, to about £14,000,000, and he thought that half this large profit was devoted to capital expenditure on railways. On that point he should like a little information, because it seemed to him that from this source alone sufficient money ought to be available for capital expenditure on railways. But he found, on the contrary, that during the last two years enormous sums had been raised by loans for this purpose. In the year 1906–7 the sum raised amounted to £5,000,000. Last year £10,500,000 were raised for capital expenditure on railways. £2,000,000 were raised in India and £8,500,000 had been raised in England. This was an enormous sum of money, and now they were informed that it was required, not for new construction, but for maintenance and repairs. But if so, why was the expenditure not met from revenue? No private company would venture on such a course as this. The Government had an immense stake in the railways of India, he believed the sum of money which had been raised amounted to £178,000,000. On this there was a profit of about £2,000,000 a year, but last year the sum was not quite so large. The right hon. Gentleman ought to have given some explanation why it was necessary to raise loans in this country. The finances of India were extremely complicated and difficult. He could remember a Finance Minister in India who used to say that he was the only person who understood those finances. Perhaps the only person in this country who thoroughly understood the financial situation in India was the Financial Secretary to the India Office. Hardly a single Member in the House was familiar with the conditions which rendered these large loans necessary. If the loans were really required, why were they not raised in India? Why should they be raised in England? Lastly, there was the question of India Bills. He could not help being suspicious that the large loans which it was proposed to raise were really needed to finance the home charges of the India Office, and that they were not required for the purposes they were nominally supposed to be raised for. Everybody knew that the Government had had the greatest difficulty in providing the necessary money in England to meet the home charges. He, in company with many other people, held the suspicion that the loans now contemplated were really wanted to get over the difficulty in connection with India Bills. The large coinage in India and the manner in which the rupee had steadily decreased in value had, as everyone was aware, added greatly to the difficulty in negotiating those Bills.

Amendment negatived.

*DR. RUTHERFORD proposed an Amendment to leave out the words "other than strategic." They had discussed that the other day, and he did not wish to keep the House long considering the matter. They had, however, very serious reasons for objecting to any of this money being spent on strategic railways. He wished to ask the right hon. Gentleman how much money had already been spent on such strategic railways, what useful purpose those railways served, and had not some of those railways been instrumental in bringing about war? An important speech had been made by his right hon. friend the Member for the Forest of Dean, who had said that these railways in a particular case had caused a war. They ought to have some answer to that indictment. It seemed impossible to believe that a Liberal Government would go on building such railways.

Amendment proposed—

"In page 1, line 16, at end, to insert the words 'other than strategic.'"—(*Dr. Rutherford.*)

Question proposed, "That those words be there inserted."

*MR. BUCHANAN said there were three strategic railways in the original programme. One was never begun, and a second was stopped as soon as it was begun, and, shortly after the present Secretary of State came into office, he issued instructions that the third—the Loi-Shilman Railway—should not go further than 300 miles from Lahore, that is, eight or nine miles beyond our administrative frontier and twenty-three miles from Peshawur. During the Mohmand troubles the railway was brought to a standstill altogether; but whether work had been resumed he was not in a position to say. Of course, there had been a certain amount of money spent upon it. He should not like to give a figure, but he thought it was something like £200,000 or £300,000.

Amendment negatived.

*DR. RUTHERFORD said the next Amendment to which he wanted to draw the attention of the Committee was a very simple one. Its object was to secure a better provision for third class passengers, both as to carriages and waiting-rooms. The carriages for third-class passengers were extremely unsatisfactory; they would be described in this country as something like horse boxes. They had realised in India, as they had long realised in this country, that they derived the best profit from the third-class passengers; and he hoped the Government would require them, in building new carriages, to provide proper and reasonable accommodation for those passengers. There was an unfortunate distinction made in India as regarded railway waiting-room accommodation. In many cases waiting rooms for Europeans as distinct from Indians had been put up. He hoped they would get rid of that colour bar, and that first, second, and third-class waiting-rooms only would be provided. After all, India was India, and belonged to Indians and not to us; and we ought to legislate in the interests of Indians, and not of Europeans.

Amendment proposed—

"In page 1, line 19, after the word 'State,' to insert the words 'and in the better provision for third-class passengers, both as to carriages and waiting rooms.'"—(*Dr. Rutherford.*)

Question proposed, "That those words be there inserted."

*MR. KEIR HARDIE (Merthyr Tydvil) said that, if the hon. Member's Amendment were carried, he would move an addition in the following words: "And the payment of a revised scale of wages to all grades of employees." He did not know whether the Under-Secretary could tell them whether there had been a recent revision of the scale of wages. He knew that twelve months ago there was very serious, and as appeared to him well-founded, discontent with the rate of wages paid. The wages were fixed three years ago, and meanwhile the cost of living had gone up very considerably while the rate of wages had remained standing. If something were done to improve the rate of wages, that act of justice would tend to secure better service from them in respect of passengers. He would be glad if the Under-Secretary could give them any information as to whether anything had been done or was contemplated.

*SIR H. COTTON wished to know why the building of railway carriages and the raising of the wages of the employees, however satisfactory in themselves, should be debited to capital expenditure. Anyone with any knowledge of business must know that these were revenue charges, and ought not to be debited to capital and loans raised for the purpose. This Government prided itself on avoiding loans. They had had it from both the Prime Minister and the Chancellor of the Exchequer that it was the policy of the Government to avoid loans and meet ordinary charges from revenue. He trusted the Under-Secretary would give him some explanation why these charges were debited to capital and not to revenue.

*MR. BUCHANAN said the Amendment, from a railway point of view, was of importance. The authorities were fully alive to the need for these improvements. He had reports which had been made on the subject by the Railway Board in 1905 and 1907, calling attention to the deficiency of third class passenger accommodation, and urging the managers of the various lines to provide better accommodation. The attention of the railway authorities would be called to the fact that not so much had been done as might have been done, and that they should do their very utmost to improve it still further. A good deal of money would be spent in the improvement of rolling stock, both for goods and passengers. Of course they could not accept the Amendment because they considered the railway policy at present being pursued was in full sympathy with the Amendment, and that to ask for a good round sum of money was the best way of working out the object in view. As regarded the point raised by the hon. Member for Merthyr he could not give him the figures on that subject. He believed the working expenses had been steadily going up in recent years, and that there had been certain increases in wages amongst the railway men, but he could not give definite figures or facts.

Amendment negaitved.

*DR. RUTHERFORD said he proposed in addition to the purposes set out in the Bill, railways and irrigation, provision for elementary schools and sanitation, and the establishment of State agricultural banks. It was a big order to discuss that question that night, and he did not propose to do it, but after all they should be alive to the fact that the education question in India did require more thoughtful attention from the Committee and the House and the Government of India. The Universities were on a fairly satisfactory scale, and did magnificent work, and so did the secondary schools as far as they went, but unfortunately there was no satisfactory provision for primary schools. That was one of the saddest reflections upon the Government of India and he presumed upon that House. He trusted the Under-Secretary would accept the Amendment, and that the Government of India would provide British India with what the Governor of Baroda had provided for that State and gradually give free and compulsory education. The expenditure on education in France was 5s. 4d. per head of the population, in Germany 4s., Austria 2s. 4d., and India 1½d., so they had much leeway to make up. Sanitation was really a very big question. The death-rate was very serious and very unsatisfactory. In 1881 it was 28 per 1,000, in 1896 it rose to 32½ per 1,000 and in 1905 to 36·1 per 1,000. The ravages of grave and serious disease largely accounted for that, but there were two or three ways in which it could be combated. The first was by improving the water supply, and the system of drainage, and the establishment of a satisfactory sanitary service. He would give two or three instances to show how necessary it was to have a sufficient sum to carry these matters out. In Barisal a water supply project which would cost £13,800 had been temporarily shelved for want of funds and it was hoped it would now be taken up. At Benares a sewage scheme had been completed at a cost of £86,000 and a further scheme had been sanctioned and would be carried out as funds became available. In Bombay they had this report—

> "Progress in municipal sanitation in the Bombay Presidency hampered by the ravages of plague, which have embarrassed the financial position of most of the municipalities to a certain extent and many urgent schemes for water supply and drainage have had to be deferred.

What was essential to satisfactory sanitation was money, and he hoped the Under-Secretary would accept these Amendments so that they might come before the Government of India which might spend a fair proportion of the money in the direction he had suggested. With regard to agricultural banks they all knew the magnificent service they had rendered to Egypt, and they would do the same if established in India.

Amendment proposed—

> "In page 2, line 6, to insert the words '(5) in the provision of elementary schools in India; (6) in the sanitation in India; (7) in the establishment of State agricultural banks.'"

Question proposed, "That those words be there inserted."

*MR. BUCHANAN said the Amendment was one which raised very important matters for general discussion, but hardly germane to this Bill. The Amendment could not, of course, be accepted. The clause asked for powers to borrow money for expenditure on railways and irrigation, and so far from too much being asked for those purposes he thought those who were most acquainted with the subject thought that they were perhaps hardly asking for enough. He did not think they could possibly add to the objects specified. They were, however, fully alive to the need of such provision. Last July he gave some figures to show that a rapidly increasing sum was being spent on elementary education. In regard to sanitation, they were spending large sums of money this year in making further progress in that direction. No one felt more than those responsible for the government of the country how urgently necessary it was to take greater precautions against epidemic and disease by means of sanitation, and they were strongly sympathetic towards the promoting of further sanitary legislation. At the same time, it was one of the most difficult and delicate subjects with which the Government had to deal.

Amendment negatived.

*MR. KEIR HARDIE moved to add a provision that the rates charged for water supplied by an irrigation scheme should not exceed such sum as would be represented by a sum equal to the amount necessary to repay in thirty years the capital employed in the undertaking, plus 5 per cent. thereon. The hon. Member explained that the object was to limit the amount to be charged for the supply of water under public irrigation schemes. Without enlarging on that subject, he wished to give one figure. As far as he could make out from the accounts, especially those published in the "Progress and Condition of India, 1906–7," the total capital invested in the irrigation works was just under £31,000,000, and the net income, after deducting all charges, and presumably inclusive of the sinking fund repayable on loans, was £2,500,000. That was the net profit, and it was burdensome upon the ryots who had to pay it. Owing to the system of local assessment, the higher the water rate the higher was the amount to be paid in local taxation. As illustrating what was happening in connection with these irrigation works, he quoted the statement that when the Punjaub Council Bill was being introduced on 21st October, 1906, a Government official said the State had spent on a particular canal £2,000,000, and in eighteen or nineteen years the capital outlay had been repaid and the profit earned in 1904–5 was 29½ per cent., and it was likely to be still higher in the future. It was this attempt still further to increase the 29½ per cent. of profit that led to the recent movement in the Punjaub which was called sedition. He submitted that it was most unfair to provide these public works as a means of raising revenue for the Government, and the object of his Amendment was that the amount of interest rate charged for the supply of water should not exceed what would provide for the working expenses and the sinking fund and a net profit of 5 per cent. on the capital invested.

Amendment proposed—

"In page 2, line 6, at the end, to add the words 'and the rates charged for water supplied by an irrigation scheme shall not exceed such sum as would be represented by a sum equal to the amount necessary to repay in thirty years the capital employed in the undertaking, plus 5 per cent. thereon.'"—(*Mr. Keir Hardie.*)

*MR. BUCHANAN said the hon. Member had raised a very important and difficult question upon which he did not feel he possessed the intimate knowledge which would enable him to reply in detail. The matter had been before the House on several occasions. The percentage on irrigation works varied enormously all over India. It varied in the Punjab from something like 5 per cent. to 27 per cent., and the average all over was somewhere between 8 per cent. and 9 per cent. The matter was being very carefully watched by officers of the Government, and there was certainly no intention or desire on their part unduly to increase the rates. The areas of irrigation had been going up by leaps and bounds. The Government could not accept the Amendment.

Amendment, by leave, withdrawn

Question proposed, "That Clause 3 stand part of the Bill."

*MR. MACKARNESS (Berkshire, Newbury) wished to be allowed, at this stage, to raise points which he should have raised earlier had not his Amendment been ruled out of order.

*THE DEPUTY-CHAIRMAN: The more correct time would be at a later stage of the Bill.

*MR. MACKARNESS said it was not they, but the Government who were responsible for the lateness of the hour. This clause was the main operative clause of the Bill, and really raised the principal issue and object of the Bill. It was highly improper that the clause should be pressed upon the House at midnight. The main object of the Bill was only explained on Monday night, and after one hour and three-quarters debate was closured. What did this clause propose to do? It proposed to authorise the Secretary of

State to raise upon the credit of the people of India a sum of no less than £20,000,000 at any time he liked, and for purposes which were only vaguely specified in the clause. He certainly thought that before the House gave such a large authorisation as that it ought to be more fully informed as to the objects upon which this money was proposed to be spent, and the times when the loans were proposed to be raised. There was nothing in the clause to prevent the Secretary of State to-morrow raising the whole of the £20,000,000 specified in the clause, and there was nothing in the clause to show how much of that would be spent upon railways, and how much upon irrigation. It was true that they were told the other night by the Under-Secretary, whose statement he entirely accepted, that it was intended to spend the greater part of the sum upon railways. For his part he was prepared to say that the proportion was very unsatisfactory. It would be very much more satisfactory if they could have an undertaking that a much larger proportion should be spent on irrigation and much less on the railways. There was no provision in the Bill as to what railways the money was to be spent on, or as to whether it might not be spent on strategic railways, in regard to which great objection was taken by many people in India and in this country. In the short time in which they were allowed to discuss this Bill on Monday night there were serious objections raised to the spending of money under this clause in the same way that money had been spent on railways in the past, and to the very damaging speech which had been made by the right hon. Gentleman representing the Forest of Dean. On that point no answer had been given by the Under-Secretary of State for India. He hoped that before the clause was put they would have some answer in regard to the charges of futility which had been made against some of these railways, and as to the increasing burden of military expenditure which had recently been imposed on the people of India. They should have an undertaking that this money was not to be spent on the equipment or extension of railways of that useless kind. It had been suggested by the noble Lord opposite that this was a very urgent matter. He had heard from the Under-Secretary of no suggestion of urgency. What his Amendment intended to propose was that no money should be sanctioned in the future on matters of that kind without their being informed how far the people of India would have any voice in the expenditure. He did not think it right or seemly that when they had promised to give a larger control over their own Government to the people of India and in the management of their own finances, the House of Commons should saddle them prospectively with loans to this very large amount. He was prepared to divide against the clause as a protest against the House of Commons being asked to authorise the raising of that large sum of money at that late period of the session, and at that late hour of the night. There was another point which had been touched upon in regard to which he thought the Under-Secretary for India should give them some answer. Very serious allegations had been made outside the House as to the purpose for which the money was to be raised. It was stated only that evening by a correspondent in a journal of high standing that a fictitious value was being given by the Government of India to the rupee when exchanged for gold, and that the Government was making these loans to recoup themselves with English gold for the condition of things which had been brought about. The question was actually asked by the writer he had referred to, "Why does not Mr. Buchanan tell us frankly that the proposed Gold Loan is to cover up the traces of this tampering with the Indian currency?" He did not suggest there could be any foundation to that charge, but when a thing was said so openly as that the House would agree that some answer was demanded. He trusted that the Under-Secretary would give an answer.

*SIR H. COTTON said he would support his hon. friend in voting against this clause. He felt he was entitled to some reply from the right hon. Gentleman in charge of the Bill to a speech which he had made regarding the financial conditions the clause contained. They had discussed sanitation, they had discussed water rates, and they had discussed education but there had been practically no discussion on the financial provisions of the Bill. He had not been able to raise these matters in the Second Reading because he was closured as soon as he began to speak. But he certainly thought he was entitled to a reply from the Government when, in challenging the Bill as to the essence of the clause, he asked why were these loans raised in England at all. If the money was really required for the railways in India, why could not the loans be raised in India? Was it a fact or was it not a fact that the real principle underlying the Bill was to raise funds to enable the Indian Government to meet the home charges? He objected also to this large expenditure on works which he maintained ought to be defrayed from revenue rather than from capital.

*MR. BUCHANAN said that he sympathised with the regrets at the delay in bringing out the measures of reform. The reason for delay, as hon. Members knew, was that they were very anxious in making changes in administration to have behind them the great mass of opinion both in India and Europe. The Government of India had to consult the Local Government and they elicited opinions from leading officials and non-officials, from associations British and Indian, from every kind of leading authority. All this took time. The Government of India then, on that information, formulated its views and sent them home for the consideration and decision of the Secretary of State. As regards the statement of the hon. Member for East Nottingham, he must be aware that a considerable sum, £2,000,000, in 1907–8 was borrowed in India for railways, but it would be manifestly impossible to raise all the capital necessary for railway purposes in India.

*SIR CHARLES W. DILKE said he only wanted one word on one point. He had understood his right hon. friend to reply in regard to the railways that there were only three involved, The third of these railways which had been mentioned was the Kabul River Gorge Railway, and the right hon. Gentleman had said that the military parties were continuing the survey of that for which assent had been previously given. That would be the assent of July, 1905, which was given by the late Government. The point which he desired to make was that in October of last year a survey was taken under fire, and when he had asked a question in the House of Commons about this in February of this year, the Secretary of State replied that a civil railway engineer was deputed by the Government of India to examine the country beyond the 300 mile station, with a view to a prolongation of the line, should that project be sanctioned. It was that survey which was commenced in October of last year which caused the Mohmand War. [AN HON. MEMBER: No.] Someone said no, but three companies were sent out in connection with that survey carried on under fire. For what purpose was that survey carried on, and when and where was it sanctioned? It was a railway which was sanctioned in connection with the Kitchener redistribution scheme. It was part of the project for the cantonment of Torsappa in connection with which 6,000 men were to be stationed 6,000 feet above the level of the sea in a hopeless spot where there was not a blade of grass for miles. That project was started, but was abandoned, there being no object for putting 6,000 men on the top of this mountain. That being so, what was the object of the railway? Why should it be continued beyond Mile 300? That extraordinary departure from what seemed to be settled policy had not been defended by his right hon. friend. When he (Sir Charles W. Dilke) had pressed the point, the answer given by the Secretary of State was that no decision had been arrived at as to the prolongation of the line beyond Mile 300. The Mohmand country, he might point out, was one where there was no delimitation of frontier, and the survey was carried on in October, November, and the beginning of December last, under fire all the time. He believed it was the sole cause of the war.

SIR J. JARDINE (Roxburghshire) said that even at that late hour of the night, and without any animus against the Government of India, which he knew too well for that, he would like to remark upon the speech just delivered by the Member for the Forest of Dean, and to point out that these strategic railways away on the frontier were in a different position from the other railways included in the clause. [Sir CHARLES W. DILKE: Hear, hear.] It had long been known to those who had had to do with the administration of India that, as the country became civilised, the demand of the natives for more civil institutions increased, and there was a constant demand for money to be spent on the civil department. He thought the responsibility of that House was enormous in dealing with matters of that sort, and it would not be reduced unless and until and in proportion as the reforms that were promised gave more power of criticism to the natives themselves.. As he had said, he knew the Government of India well, and he knew it too well to assume that what it did must be either always right or always wrong. In dealing with such matters he would like to point out there had been a strong difference of opinion about the propriety of such expenditure upon such enterprises as the strategic railways to which reference had been made. The question came much into notice at the time of the Afghan War, and he would like to quote the eminent authority of Lord Lawrence, who pointed out that there was a very great difference between expending the money of the taxpayers of India, who were not represented as people were here by an elected House of Commons. on things inside India and schemes away in these wild parts. Lord Lawrence described the close connection between the weight of the taxation and the sentiment of loyalty or its opposite which was felt, and he said, after an almost unparallelled experience of Indian affairs, both in war-time and in peace, and in the great emergencies that our Empire had passed through, that money ought to be expended on things within our territories, on making roads (which would include railways) and on irrigation works, and should not be expended beyond the frontiers. If that railway had been given up by the Government of India in the military Department they ought to know why the survey had been recommended. His belief was that, while the people did not object to a good deal of taxation if there was expenditure on those things that were recognised as useful and in connection with which they could see the money expended in the country, there was a growing feeling of dislike to the enormous increase of the military expenditure, and especially when it took that particular form.

Question put.

The Committee divided:—Ayes, 89; Noes, 15. (Division List No. 445.)

AYES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Arkwright, John Stanhope
Baring, Godfrey (Isle of Wight)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Benn, W.(T'w'r' Hamlets,S.Geo.
Bennett, E. N.
Bowerman, C. W.
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Carlile, E. Hildred
Carr-Gomm, H. W
Cave, George
Cleland, J. W.
Clough, William
Cochrane, Hon. Thos. H. A. E.
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Davies, David (Montgomery Co,

Sir J. Jardine.

Davies,SirW.Howell (Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Duckworth, Sir James
Duncan, J. H. (York, Otley)
Essex, R. W.
Everett, R. Lacey
Ferens, T. R.
Fuller, John Michael F.
Gibbs, G. A. (Bristol, West)
Gill, A. H.
Goddard, Sir Daniel Ford
Harcourt,Robert V. (Montrose)
Harmsworth, Cecil B. (Worc'r.)
Harwood, George
Hazel, Dr. A. E.
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hooper, A. G.
Hunt, Rowland
Illingworth, Percy H.
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)

Kincaid-Smith, Captain
King,Alfred John (Knutsford)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lyell, Charles Henry
M'Crae, Sir George
Maddison, Frederick
Markham, Arthur Basil
Meysey-Thompson, E. C.
Morgan, G. Hay (Cornwall)
Murray,Capt. Hn A.C.(Kincard.
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Pearce, Roberts (Staffs, Leek)
Pearson,W.H.M. (Suffolk, Eye)
Price,C.E. (Edinburgh,Central)
Rainy, A. Rolland
Richards,Thomas(W.Monm'th)
Ridsdale, E. A.
Robinson, S.
Rogers, F. E. Newman

Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Staveley-Hill, Henry (Staff'sh.)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Taylor, Theodore C. (Radcliffe)
Tennant,H.J. (Berwickshire)
Thompson,J.W.H.(Somerset,E
Thorne,G.R. (Wolverhampton)
Toulmin, George
Trevelyan, Charles Philips
Waring, Walter
White,Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
Wilson,J. W. (Worcestersh.,N.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Cotton, Sir H. J. S.
Crean, Eugene
Dilke, Rt. Hon. Sir Charles
Hardie,J.Keir (Merthyr Tydvil)
Kennedy, Vincent Paul
Lardner, James Carrige Rushe
Macdonald, J. R. (Leicester)

MacNeill, John Gordon Swift
Macpherson, J. T.
O'Grady, J.
Parker, James (Halifax)
Richards,T.F.(Wolverh'mpt'n)
Roberts, G. H. (Norwich)

Seddon, J.
Summerbell, T.

TELLERS FOR THE NOES—Mr. Mackarness and Dr. Rutherford.

Remaining clauses agreed to.

Bill reported, without Amendment; to be read a third time To-morrow.

SUMMARY JURISDICTION (SCOTLAND BILL.

As amended (in the Standing Committee), considered; read the third time and passed.

LOCAL GOVERNMENT (SCOTLAND) BILL.

As amended (in the Standing Committee), considered.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. MOONEY (Newry) asked whether it was in order for the House to order a Bill to be read a third time which was not before the House. The Bill on the Order Paper was a Bill of which one clause had been left out, whilst one subsection had been left out and two subsections put in. The Bill had never been reprinted. The Bill before the House now was not the Bill as it came from the Committee upstairs, and if passed now as it stood would not be the Bill as it came down from the Committee. To put himself in order, and to get a reply he moved that the Bill be read a third time this time three months. He desired some explanation from the Lord-Advocate as to what that course had been taken in connection with that Bill. Large alterations had been made in the Bill since it passed the Second Reading, and it was not in any legal shape or form the Bill that went upstairs into Committee. It was utterly impossible to get any information as to what was done in Committee, unless they went to the trouble of getting the reports of the Committee, and finding out what actually was done. As a matter of fact the Government voted against one of their own clauses upstairs, and that clause remained in the Bill as now before the House. He did not think it was treating the House with proper consideration to make large Amendments in the Bill and then for Members to find that the Bill before them was not the real Bill in any shape or form.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Mooney.*)

Question proposed, "That the word 'now' stand part of the Question."

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire) said he hoped he would be able to explain the situation in which they were placed with regard to the Bill. There had been no exceptional treatment in regard to it. It was a very common practice that when complicated changes were made in a Bill, it should be reprinted at every stage. But in this case the changes that had been made in the Bill were of a perfectly uncontroversial nature, and perfectly easily understood by any Member who would possess himself of the Paper which contained the Amendments which were made in Committee. It was true that considerable changes were made in the Bill. In the dropping of Clause 3, however, a whole clause was dropped, and those hon. Gentlemen who took an interest in the Bill and were present during the proceedings in Committee had no doubt in their minds as to the result of the proceedings in Committee in regard to Clause 3. The other changes were largely drafting Amendments, and where they were not drafting Amendments, they were fully explained to the Committee and in no way affected the principles. The ordinary course had been followed in this case. It was not the practice to reprint all the Bills at every stage. The House had always had a discretion and judgment to be exercised in those matters, and the ordinary practice had been followed in this case. There was no desire on the part of the Minister responsible for the Bill not to acquaint the House most fully with the proceedings that had taken place.

MR. SWIFT MACNEILL (Donegal, S.) said the right hon. Gentleman gave them credit for the high intelligence possessed by himself. He (the speaker) was only a simple and ordinary Member and not a Minister, but he contended that the Bill would scarcely be comprehensible to the high level of intelligence on the Treasury Bench. They had a Bill, and with it a codicil of Amendments, and they were to read the Bill with the codicil and the codicil with the Bill. This was not a mere technical point. Everybody acquainted with the law, with the Courts of justice, knew the horrible difficulties of construing statutes because of the slipshod way in which they were drafted. In this case there came down to the House as if it were a legislating machine, all these Amendments, which it would take a man versed in the comparison of different documents to be able to incorporate one with the other. He did not believe they were worth reading, but at the same time, it was not the kind of thing that should be done. There was one thing that made him rejoice and that was to see the right hon. Gentleman the Secretary for Scotland an economical man. It was delightful to see the careful economy, the careful regard for the pence, in this matter. He hoped the ecnomical mind would extend still further, and that there would be some stay to the production of documents of great length, and with no value from another place. But he did not see why this Bill should be presented to the House in this slipshod fashion. Again and again in other times they had insisted that Bills should be presented to the House with Amendments in an intelligible form. He did not remember a single session in the twenty years he had been in the House in which great inconvenience and much dislocation of the Courts had not resulted from those slipshod methods of drafting Bills in a language which would scarcely be creditable as English in a King's Speech. He certainly thought this Bill should be reserved for some further consideration. He hoped they might get, in the first place, a distinct pledge from the Government that it was only in the interests of economy that they took such a course and, in the second place, a statement from the right hon. Gentleman that he would give one-fifth of his salary as conscience money to the Chancellor of the Exchequer.

Mr. ESSEX (Gloucestershire, Cirencester) asked if the House of Lords was going to get the Bill in a better form than the House of Commons had it now.

Mr. SINCLAIR said he recognised that that was quite a proper question for the consideration of the House. On the consideration of the ordinary procedure of the House would be the time to consider whether the present practice should be altered or continued. It was quite possible in normal circumstances to have a Bill reprinted. If the Bill had been reprinted after the Committee stage, however, and was again altered on the Report stage, that would involve a second reprinting. If it was reprinted after the Report stage, some alterations might be made on the Third Reading, which would involve still another reprinting before it was sent to the House of Lords. Consideration of those circumstances had led the House to adopt the present practice that there should be commonsense and discretion exercised where Bills were not of very great and widespread importance.

Mr. MOONEY said he thought the explanation which the right hon. Gentleman had given was a proper one. He was sure the right hon. Gentleman would excuse him for having asked the question, but to a simple unsophisticated Member the Amendments had seemed very considerable, for several of them had taken up half a page of the proceedings. If they were only drafting Amendments, it was, of course, quite a different matter from what he had imagined. He had no axe to grind and had only wanted to know what procedure the House was going to adopt. He asked leave to withdraw his Amendment.

*Mr. COCHRANE (Ayrshire, N.) said he did not want to delay the Bill, but he must enter a caveat against the statement of the right hon. Gentleman that Bills might be presented under ordinary circumstances to the

House in the form in which that Bill had been presented, for it made it extremely inconvenient if not impossible to discuss a Bill. The Bill was considered by the Scottish Grand Committee on Tuesday, and it would have been quite possible to have it reprinted in time for the discussion that evening. The plea of economy seemed to him to be rather thin, and he thought it must be due to some carelessness of the right hon. Gentleman's Department that the Bill had not been reprinted. He shared that perfect trust in another place which the right hon. Gentleman had displayed, and he was quite sure that that other place would be quite able to interpret and deal with the Bill.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read the third time, and passed.

CROFTERS' COMMONS GRAZINGS REGULATION BILL.

Order for the Second Reading read.

MR. COCHRANE thought that on the Second Reading of the Bill the right hon. Gentleman ought to give a word of explanation.

MR. SINCLAIR said he was glad to have the opportunity of explaining to the House that the Bill consisted of one clause, the object of which was to strengthen the powers of the Crofter Commission dealing with common grazing in Scotland. It gave them the power to strengthen the Committees which were to be appointed. These Committees under the Bill would now be allowed to move without waiting till they were requested to do so. He knew the operations, and the Commons Grazing Committees of Scotland had been very much hampered by the fact that crofters who unduly benefit could not be induced to move to secure that all classes might have their fair share in the grazings. In another way it altered the procedure of the existing Act, by the insertion of words, which provided that a breach of any regulations made under the Act should be liable to a penalty not exceeding 40s. That was really the very small scope of the Bill, and it would be of very great advantage to the crofters. It enabled them to regulate their common grazing, and to insure that the common grazings should not be over-stocked.

*MR. COCHRANE said he would like to ask the right hon. Gentleman one question. As he understood it, the Bill enabled the Crofter Commissions to set up committees whether the crofters applied for their setting up or not. A penalty was imposed for overstocking which would now be defined by law. Under the existing Act the penalties which the sheriff could inflict were unrestricted and unlimited. After the passing of this Bill, would the penalty to be inflicted be one not exceeding 40s., and 5s. per day during the continuance of the offence?

MR. SINCLAIR said no, that was not the case. The penalty imposed by that Bill was without prejudice, and did not take away any existing powers. There was no intention to interfere with the existing law.

Bill read a second time.

Bill committed to a Committee of the Whole House for To-morrow. — (*Mr. Sinclair.*)

Whereupon Mr. DEPUTY SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at seventeen minutes past One o'clock.

HOUSE OF LORDS.

Friday, 11*th December*, 1908.

THE EARL CARRINGTON,

Chosen Speaker in the absence of the Lord Chancellor and the Lords Commissioners.

PETITION.

PORT OF LONDON BILL.

Petition praying to be heard by counsel against; of the Corporation of London; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

OLD AGE PENSIONS ACT, 1908.

Circular issued to local pension committees and sub-committees in England and Wales by the Local Government Board, dated the 11th December, 1908.

BANKING, RAILWAY, AND SHIPPING STATISTICS (IRELAND).

Report for half-year ended 30th June, 1908.

Presented (by Command), and ordered to lie on the Table.

LOCAL GOVERNMENT BOARD (IRELAND).

Regulations (organisation for unemployed) (Ireland), 1908.

CENSUS OF PRODUCTION ACT, 1906.

Rules made by the Board of Trade, Nos. CIII.—CV.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

SUMMARY JURISDICTION (SCOTLAND) BILL. (No. 249.)

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 250.)

Brought from the Commons and read 1^a; to be printed; and to be read 2^a on Monday next.—(*The Lord Herschell.*)

House adjourned at ten minutes past Six o'clock, to Monday next, a quarter past Three o'clock.

HOUSE OF COMMONS.

Friday, 11*th December*, 1908.

The House met at Twelve Noon of the Clock.

PETITIONS.

ENFRANCHISEMENT OF WOMEN.

Petitions for legislation: From Newcastle upon-Tyne;—and Cheltenham; to lie upon the Table.

RETURNS, REPORTS, ETC.

BANKING, RAILWAY, AND SHIPPING STATISTICS (IRELAND).

Copy presented,—of Report on the Banking, Railway, and Shipping Statistics of Ireland for the half-year ended 30th June, 1908 [by Command]; to lie upon the Table.

LOCAL GOVERNMENT BOARD (IRELAND).

Copy presented,—of Regulations (Organisation for Unemployed) (Ireland) 1908, made under the Unemployed Workmen Act, 1905 [by Act]; to lie upon the Table.

CENSUS OF PRODUCTION ACT, 1906.

Copy presented,—of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

OLD-AGE PENSIONS ACT, 1908.

Copy presented,—of a Circular issued to Local Pension Committees and Sub-Committees in England and Wales by the Local Government Board, dated 11th December, 1908 [by Command]; to lie upon the Table.

COUNTY AND BOROUGH COUNCILS (WOMEN ELECTORS.)

Return presented,—relative thereto [ordered 15th July; *Mr. Cameron Corbett*]; to lie upon the Table.

PAPERS LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Adjournment Motions under Standing Order No. 10.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed. [No. 360.]

Closure of Debate (Standing Order No. 26).—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed. [No. 361.]

Public Bills.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Public Petitions—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Select Committees.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Standing Committees.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Sittings of the House.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Business of the House (Days Occupied by Government and by Private Members).—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed. [No. 362.]

Private Bills and Private Business.—Return relative thereto [ordered 10th December; *Mr. Caldwell*]; to be printed.

Inquiry into Charities (County of Lancaster) and Inquiry into Charities (County Borough of St. Helens).—Further Returns presented relative thereto [ordered 8th August, 1898, and 26th July, 1905; *Mr. Grant Lawson* and *Mr. Griffith Boscawen*]; to be printed. [No. 363.]

PRIVATE LEGISLATION PROCEDURE (SCOTLAND ACT, 1899.

Return ordered, "of all the Draft Provisional Orders under the Private Legislation Procedure (Scotland) Act, 1899, which in the Session of 1908 have been reported on by Commissioners; together with the names of the Commissioners; the first and also the last day of sittings in each group; the number of days on which each body of Commissioners sat; the number of days on which each Commissioner has served; the number of days occupied by each Draft Provisional Order before the Commissioners; the Draft Provisional Orders the Preambles of which were reported to have been proved; and the Draft Provisional Orders the Preambles of which were reported to have been not proved."—(*Mr. Sinclair.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Preservatives in Food—Reprinting of Report.

Mr. LUPTON (Lincolnshire, Sleaford): To ask the President of the Local Government Board if the Report of the Departmental Committee on the use of preservatives and colouring matters in the preservation and colouring of food, published in 1901, is now out of print; and, if so, whether, in view of the demand for copies of this Report and the value of the information therein contained, he will cause another edition to be printed.

(*Answered by Mr. John Burns.*) I understand that it is the case that the Report is out of print. There would be an advantage in copies of it being available; but whether the demand for it is sufficient to justify the cost of printing it I am unable to say. The matter is one for the Controller of the Stationery Office, and I will communicate with him with regard to it.

Estate Duty—Gross Annual Values.

Mr. DUNDAS WHITE (Dumbartonshire): To ask Mr. Chancellor of the Exchequer with reference to the gross annual value and the net annual value referred to in the headings on page 79 of the Annual Report of the Commissioners of Inland Revenue for 1907–8 [Cd. 4226], if he will say what relations these annual values, respectively, bear to the annual values of the subject referred to as adopted for income-tax purposes.

(*Answered by Mr. Lloyd-George.*) For Estate Duty purposes the gross annual values, in the table to which my hon.

friend alludes, are the actual rentals where the properties are let and the gross annual values as ascertained for purposes of income-tax where the properties are unlet. The net annual values for purposes of Estate Duty are the gross annual values minus necessary outgoings, with, in the case of agricultural property, a deduction not exceeding 5 per cent. for expenses of management. For income-tax purposes, the gross annual value is substantially the same as that for Estate Duty purposes, but a net annual value would somewhat exceed that shown in the table referred to, as practically the only similar income-tax deduction from the gross annual value are the statutory allowances granted by Section 35 of the Finance Act, 1894.

Recruitment of Labour for Cocoa Plantations at San Thome and Principe.

SIR C. HILL (Shrewsbury): To ask the Secretary of State for Foreign Affairs whether the new system for the control of the recruitment of labourers for the cocoa plantations of San Thomé and Principé has yet been inaugurated; and, if so, whether it is working satisfactorily.

(*Answered by Secretary Sir Edward Grey.*) Amended regulations for labourers emigrating from Angola, Guinea, Mozambique, and foreign countries to the islands of San Thomé and Principé were published by the Portuguese Government on 9th May last. Since that date, Captain Paulo Cid, of the Portuguese Navy, was despatched on a mission to study and adjust the questions relating to the engagement of labourers for the islands. I have, as yet, no information as to the progress of Captain Cid's mission.

Emancipation of Slaves under the East African Protectorate Ordinance.

SIR C. HILL: To ask the Under-Secretary of State for the Colonies what number of slaves have been emancipated under the East Africa Protectorate Legal Status of Slavery Ordinance, 1907; and what amount of compensation has been paid under it.

(*Answered by Colonel Seely.*) The Secretary of State has no recent information on the matters referred to by the hon. Gentleman, but will cause inquiry to be made.

Repayments of Loans for Small Holdings.

SIR WALTER FOSTER (Derbyshire, Ilkeston): To ask the President of the Local Government Board whether, having regard to the letter of 14th November, 1907, sent by the Local Government Board to the parish council of Elstree, which states that as regards the expenses to be taken into account in fixing the rents of the allotments, the Board may state that they have been advised by the Law Officers of the Crown that the expenses referred to in Section 2 (2) of the Allotments Act, 1887, while including the interest payable upon the purchase money, do not include the annual instalments of principal or payments to a sinking fund in cases where the land has been acquired by means of a loan, and to the letter of 1st December, 1908, sent by the Local Government Board to the North Bromsgrove Urban District Council, which states that although the point is not free from doubt they consider the urban district council of North Bromsgrove need not pay the instalments of principal in respect of the loan in question out of the rent to be received from the tenants of the allotments, the Local Government Board will state, to prevent further confusion on this point in the country, that for the future, in fixing the rents of the allotments or small holdings in cases where the land has been acquired by means of a loan, the expenses to be taken into account should not include the annual instalments of principal or payments to a sinking fund, and that a council may meet the charge for the annual instalment of principal or payment to a sinking fund from the county or general district rate, as the case may be, and that a district auditor will not be entitled to object to a council so doing.

(*Answered by Mr. John Burns.*) I do not think I can say more than that, in dealing with an application for sanction to a loan for the purchase of land for allotments or small holdings, the Local Government Board would not consider it necessary for it to be shown that the payments to be made in respect of the principle of the loan would be met out of the rents to be received from the tenants. The Board have no reason to anticipate that a district auditor would take a different view from that upon which they act in this matter.

Cattle Breeding in Ireland and Wales.

MR. D. A. THOMAS (Merthyr Tydvil): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what amounts have been expended out of public moneys during the past three years on the improvement of cattle-breeding in Ireland and in Wales respectively, and from what source such moneys were derived.

☞ (*Answered by Sir Edward Strachey.*) No grant has been made by the Board for the improvement of cattle-breeding in Wales. Perhaps my hon. friend will address his Question as to what is being done in Ireland to my right hon. friend the Vice-President of the Department of Agriculture for Ireland.

The Fishing Industry.

MR. H. J. TENNANT (Berwickshire): To ask Mr. Chancellor of the Exchequer what progress, if any, has been made towards carrying out the recommendations of the Committee appointed to inquire into the scientific and statistical methods to be adopted by the Government in relation to the fishing industry; and whether any difficulties are being placed in the way of adopting those recommendations by any of the Departments concerned.

(*Answered by Mr. Lloyd-George.*) I am in communication with the several Departments concerned; but I am unable at present to make any statement as to the conclusions at which the Government may arrive.

Residences for Irish Assistant Teachers.

MR. NANNETTI (Dublin, College Green): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, under the Teachers' Residences Act, 1875, principal teachers are entitled to have free residences built for them and that assistant teachers have no such privilege; whether he is aware that an assistant is not entitled, even under the most favourable circumstances, to more than thirty-five sixtieths of the residual capitation grant received by the principal, while in the majority of cases the principals receive from five to twenty times as much of this grant as their assistants receive; is this capitation grant altogether outside grade salaries; and whether any steps will be taken to improve the position of the assistant teachers.

(*Answered by Mr. Birrell.*) The Act in question, which authorises the Board of Works to make loans in such cases as they may deem expedient for the purpose of providing residences for national school teachers, makes no distinction between principal and assistant teachers. As regards the residual capitation grant it would appear, from the information supplied to me by the Commissioners of National Education, that an assistant teacher cannot in any case receive more than thirty-five sixtieths of the amount received by the principal, but it is not correct to say that in the majority of cases the principals receive from five to twenty times as much as the assistants. This capitation grant is altogether outside grade salaries. The Commissioners do not propose to make any change in the existing sale of payment.

Birth and Death Rates in Ireland.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the number of births and the number of deaths which took place in Ireland during the years 1905, 1906, 1907; and will he say what percentage the figures bear to the increase or otherwise per thousand of the population.

(*Answered by Mr. Birrell.*) In the year 1905 the births registered in Ireland numbered 102,832, and the deaths 75,071, the rate of decrease, owing to emigration in the population, estimated to the middle of the year 1905, being 0·7 per 1,000. In 1906 the births were 103,536, the deaths 74,427, and the rate of decrease, owing to emigration, 1·5 per 1,000, and in 1907 the births were 101,742, the deaths 77,334, and the rate of decrease, owing to emigration, 3·4 per 1,000 of the estimated population.

Grants withdrawn from Irish Schools.

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of national schools in Ireland from which the public grant has been withdrawn or threatened to be withdrawn in each of the years 1906, 1907, and 1908, under Protestant and Roman Catholic management, respectively.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the national schools from which grants were withdrawn in the years 1906, 1907, and 1908 were as follows—

	1906.	1907.	1908.
Under Protestant management - -	30	17	15
Under Roman Catholic management -	17	8	9

Of the schools under Protestant management six became inoperative, four were closed voluntarily by the managers, two were closed without objection, and one was closed by the local authority, who required the site for other purposes. Of the schools under Roman Catholic management three became inoperative, two were closed voluntarily by the managers, and two without objection of the managers. The Commissioners add that it would be impossible, without a long and careful examination of the Board's correspondence for the three years in question, to say in how many cases the withdrawal of the grants was threatened.

Trials of New Sub-target Rifle Machines.

SIR C. HILL: To ask the Secretary of State for War whether the trials of the new sub-target rifle machine have yet taken place; and, if so, with what result.

(*Answered by Mr. Secretary Haldane.*) Preliminary trials have been carried out, with satisfactory results, and further trials are in progress.

Welsh Disestablishment.

MR. D. A. THOMAS (Merthyr Tydvil): To ask the Prime Minister if, in the Bill promised on behalf of the Government for next session, for the disestablishment and disendowment of the English Church in Wales, he will provide for a national allocation of the tithe.

(*Answered by Mr. Asquith.*) I am not at present in a position to give my hon. friend the information for which he asks.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

As amended (in the Standing Commitee), further considered.

*MR. BECK (Cambridgeshire, Wisbech) said that during the short time in which he had been in the House he had noticed that the mover of an Amendment, whatever his secret opinion might be, always proclaimed that his Amendment was of such a reasonable character that he was sure the Government was anxious, and even eager, to adopt it. But in spite of the fact that this formula had ceased to have much force, he did say that this Amendment was of a reasonable character, because no one could contend that it was in any way against the principle of the Bill, for the only subject of dispute was as to how long it should be before the Act came into full operation. There might be one or two Members who were not as familiar with the Amendment as those who had sat upstairs, so he had perhaps better explain briefly its object. His Amendment was to leave out "during the three years after the commencement of this Act," in the subsection 2 (*a*) Clause 1, and there were consequential Amendments down after that, which would take out practically the whole of subsection (*b*). The effect of this would be that this Act would come into force if it became law, but that instead of being further strengthened at the end of five years, a future Parliament would be left to deal with the matter should occasion arise. The point in dispute was, of course, as to the windings. As the Bill stood, both windings would be excluded from the eight hours which the men were allowed to work. Under the Government proposals it was intended that at the end of five years one winding should be included in the eight hours. Upstairs in Committee the Government were defeated, largely by hon. Members below the gangway opposite, who insisted on an Amendment substituting three years for five. He had said the Amendment was not against the principle of the Bill, and he hoped he had proved this, because it was absolutely in the Bill itself. In the second place this was not an Amendment which his right hon. friend could say was not of a practical character. There was no difficulty about altering the Bill in the way he suggested, but the real point which they must strongly impress upon the House was the question of safety. Hon. Members laughed, and they had laughed in Committee, when the Home Secretary had impressed upon them with all the fervour in his power the great danger of the course they were taking. His contention was that if the Bill was put into force at once without this period of rest, so to speak, the speeding of the machinery, consequent on the necessity of getting one winding within the allowed eight hours, would be likely to cause serious accidents, and the reason why the Government put in five years was that they considered five years was a reasonable period in which to give colliery proprietors and managers time to strengthen their machinery, and generally make it capable of working faster. In their view that was not a sound principle to take. They said it would be better to wait until the machinery was strengthened before altering the Bill again. What the Home Secretary said upstairs was—

> "The view we took was, having regard to the question of danger, considered generally, that a period of five years was a very reasonable period. I do not say that danger will cease in five or ten years, but it will be reduced and mitigated in the way I have explained on various occasions by new mines which have been sunk, on the principle necessary for the working of this Bill. Upcast shafts may be used for winding where they are not so used now. The haulage ways may be so altered for the safer getting out of the men. Other inventions and improvements may be made with regard to the winding arrangements in the interests of safety."

There was a good deal of the same thing, but his last words on this particular point were rather significant.

> "Speaking generally, five years is the time which the Government, after full consideration, thought would give the necessary margin of safety."

Therefore he hoped the House would agree to remove the three years, but what they wanted to do was to go a step further, and not put any period into the Bill at all. Hon. Members laughed, but he did not think they really knew very much about their own Bill, because, as it would come into force in July next, it would at once materially reduce the hours of work in mines as at present existing—he meant when the Bill came into force with both windings excluded from the eight hours. In the Manchester district the working hours would be reduced by one hour a day, in West Lancashire by one hour thirteen minutes, in Monmouthshire by one hour 27 minutes, and in Cumberland and Durham the boys would no longer work ten hours but eight. In Scotland they would be reduced by twenty-one and twenty-seven minutes, and, of course, Scotsmen already worked short hours. In North Wales they would be reduced by fifty-two minutes so that there would be a very material reduction of hours in those districts. To pass from this, they must insist most strongly upon the question of safety. The hon. Member for Gloucester, who was Chairman of the Departmental Committee that considered this question, on the Second Reading made a most weighty speech on this same point. He was, of course, on the whole, in favour of the Bill, but he saw many drawbacks in the way it was drawn. But the great point he made was that he did not consider that the windings ought to be included in the hours of work. He said he did not mind if the hours of work were reduced to seven and a half, but he thought it was contrary to the safety of the men to include winding. He thought exactly as the Home Secretary did, that it would conduce to safety if the winding of the men was not crowded into a limited period. It would enable the older men to get to their underground place of work more at their leisure and it would be easier for the older collieries in which the winding was generally slower than in the new pits. This was a weighty testimony in favour of the Amendment. They were accused the other day by the hon. Member for South Glamorgan for their absence of humanitarian principles. He should like to say as regarded this that he did sympathise with the views of the hon. Members below the gangway. He realised that they had intimate knowledge of the dangerous occupation of the men they represented in that House. He unfortunately was not a colliery proprietor, nor was he a miner, though he was a consumer, but what he meant was that they were entitled to judge not only by the words used by the Home Secretary, not only by the words used by the Chairman of the Departmental Committee, but also from the mass of evidence which came forward that the winding period was a very dangerous period in coal mines. In 1907, ninety-eight persons were killed in the shaft, and this was something like 8 per cent. of the total accidents that occurred in coal mines. He would appeal to hon. Members not to use too much of this humanitarian argument. If the hon. Member for South Glamorgan were in his place he would say to him that he was sure that he would be the first to bring his robust commonsense to bear if he (Mr. Beck) talked about widows and orphans shivering over empty grates. It seemed quite as fair an argument. He had tried to base his support of the Amendment on three grounds, that it was not against the principle of the Bill, that it was a practical Amendment, and above all, that it was absolutely essential to the safety of the men. He would add a fourth ground, and that was that it seemed to him very undesirable that the House should bind the future in this way. He did not think they had any right now to decide what should happen five years hence. There might, or might not be, another Government, when that period came, but in any case he did not think it was right to bind them. He appealed to hon. Members below the gangway if it would not be well for them to accept an Amendment of this sort. If the Bill worked as well as they considered it was going to work, he felt sure there would be no difficulty in getting Parliament to amend it in the way they desired; but if, on the other hand, as opponents of the Bill feared, it did not work well, he thought they would be glad that in this particular they were to some extent safeguarded. He knew that hon. Members below the gangway were deaf to the voice of the charmer, charm he never so wisely, and he could not hope to move them when his right hon. friend had failed in Committee, but he appealed to hon. Members in other parts of the House to consider this Amendment. It was in no way against the principle of the Bill. It was an entirely reasonable Amendment, and they might even say it was a small Amendment. He would call it quite a small Amendment if it was not for the fact that it was a question of the greater safety of the miners. He moved the Amendment.

MR. BOWLES (Lambeth, Norwood) said he heartily supported the Amendment. He agreed with the hon. Member in thinking that the principle which the Amendment sought to defeat, and which the Government had adopted in the Bill, was very strange, and, as far as he knew, entirely novel in legislation. What was the situation with which the Government and the House were confronted in regard to this proposal? For many years the mining community had approached Parliament with the demand that a certain great change should be made in the conditions of their industry. That change had been proposed for a long time, and recently had been carefully considered by a Departmental Committee of the utmost authority. As a result of the long consideration the Government came to the conclusion that the change that the mining community asked for was one which could not in fact be carried out at the moment in its entirety, with due regard to the safety of the mines, and the general public interest in view of economic disturbances. But the Government came to the further conclusion that although the change asked for could not properly be made, some change of a less character might be made at once safely and properly. They came to the conclusion, in fact, that although they could not grant the whole demand because it would not be consistent with the public interest, they could go some way to meet it. In these circumstances he respectfully suggested to the House that the proper course for the Government and the House to take, and the only proper course, after full consideration, was to go so far as they could safely go at all, to see how that worked out, and to leave the future to take care of itself in regard to extensions or contractions of the principle. This was, so far as he knew, the first occasion on which Parliament had been asked to make a great change which was admitted to be dangerous and impossible now, compulsory at a future period, which might or might not be three or five years. That was a very dangerous and extraordinary scheme upon which to found legislation of this character, and if it were merely upon that point alone he should be bound to oppose it. These considerations were enormously strengthened in this particular when one considered the extraordinary changes which had been made in the mind of the Government since the Bill was introduced. What the Government proposed on the Second Reading of the Bill was that on the 1st January, 1909, the hours in coal mines should be limited to nine hours a day including one winding, that that should go on for eighteen months and that after eighteen months, on 30th June, 1910, the period should be eight hours including one winding. That was what the Government apparently thought safe and proper on the Second Reading of the Bill a few months ago. On their responsibility after full information they recommended it to the House of Commons and the country. Between the time that the Bill was read a second time and the time it got into Committee they entirely altered their mind on each of these points. They then made an entirely different and much smaller proposal, that the Bill should provide for an eight hours day excluding both windings for five years, and after that it should be an eight hours day including one winding. In other words the short time which elapsed between the Second Reading of the Bill and its appearance in Committee had sufficed to convince His Majesty's Government that they could not take the responsibility for recommending to Parliament and the country the very course which they had recommended on the Second Reading. What happened then? The Government having made this proposal upstairs and having submitted it to the Standing Committee, the Committee, disunited and disagreed no doubt upon almost every point in the Bill, at least were agreed, though, he admitted, for different reasons, that, whatever period was to be inserted in the Bill, five years would not do. The effect of that was that the Government, having made a proposal on the Second Reading, and having changed it again in Committee——

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): The hon. Member forgets that I announced on the Second Reading that this change would be proposed. It was no sudden change of policy.

MR. BOWLES thought it was quite clear that between the time when the Government first drafted the Bill and presented it to Parliament, and the time they had to consider its defence upon the Second Reading, they had to make an enormous change, the magnitude of which the right hon. Gentleman himself would be the last to dispute. The change which the Government submitted was refused by the Committee upstairs.

MR. GLADSTONE: No.

MR. BOWLES said it was no use the right hon. Gentleman shaking his head, because it was a matter of fact. The change proposed by the Government was reversed by the Committee, with the result that the proposal was made more stringent.

MR. GLADSTONE: Is it not a fact that on the Committee the hon. Member for Norwood voted for three years?

MR. BOWLES said it was not a fact, because he never voted for three years and should not think of doing so. He did vote for leaving out five years. He thought he was quite justified in saying that the Government had never had a clear and steady mind upon this matter, and that throughout the discussions on the Bill the scheme had been changed, and at the last moment they were face to face with an Amendment which again changed the Bill. What was the objection to what he called the buffer period? First of all, it was a bad way to legislate to say "We think it only safe to go so far at this moment, but we will make a further change compulsory in the future although we think it is dangerous to do it now." He thought the House of Commons ought to consider the effect such a proposal would have upon the industry itself. He had no interest personally in the coal industry, either directly or indirectly, but he put it to the House of Commons that, if they were going to make a change at this time, they were bound to see that it was made with as little inconvenience and with as little disturbance to the trade as was possible. Here they made two great upheavals in an industry compulsory within a period of three years, and in his opinion that was a perfectly wanton and unnecessary course. The right hon. Gentleman and other Members of the Government had told them again and again in the strongest possible language that they could not allow the Bill to have its full effect at once because it would be dangerous. They asked the Government in the Committee what ground they had for supposing that that which, by general admission, would be dangerous to do now in regard to the men in the mines, would be any safer at the end of a period of three or five years. There might be some sanguine persons in certain quarters of the House, but their sanguine views were not shared by the Home Secretary, or by those who felt the responsibility in this matter. They asked the right hon. Gentleman upstairs what grounds he had for supposing that this thing would be any safer five years hence than it was now, and what was his answer? The right hon. Gentleman said—

> "I have never said that after a certain period of time the danger will be removed. As a matter of fact, the danger cannot be removed——"

MR. GLADSTONE: What danger?

MR. BOWLES: The danger of haulage.

MR. GLADSTONE: I think the hon. Member is quoting something which has already been quoted in this debate by the hon. Member for Dulwich. I do not know what report he is quoting from.

SIR F. BANBURY (City of London) said they took the precaution, as the proceedings of the Committee were not reported, of having a shorthand note taken of the speeches made by the right hon. Gentleman the Home Secretary, and his hon. friend the Member for Norwood was quoting from those shorthand notes. [AN HON. MEMBER: "Who paid for them?"]

MR. GLADSTONE: Although I have not seen that report of my speech, I do not repudiate the words at all, but I think in fairness to myself the House ought to know on what Amendment I was speaking and we ought to be told exactly what I was replying to.

MR. BOWLES said the speech to which he was referring was made in the debate on the Motion made by the hon. Member for Hanley in favour of the omission of "five years." If the right hon. Gentleman said the words which he had quoted did not represent his view, of course, he would accept his contradiction. The right hon. Gentleman said—

> "The view we took was, having regard to the question of danger considered generally, that a period of five years was a reasonable period. I do not say that it will cease in five or ten years, but the danger will be reduced and mitigated in the way I have explained on various occasions. Upcast shafts may be used for winding where they are not used now. The hauling ways may be altered for the safer getting out of the men, and other inventions and improvements unspecified may be made in regard to the winding arrangements in the interests of safety. All these tendencies co-operating during the period of five years may practically produce a system which will be considered safer than the conditions existing now . . . . . Speaking generally, five years is the time which the Government, after full consideration, think would give the necessary margin of safety."

He thought that was a very grave situation to place the House of Commons in The right hon. Gentleman might be right or he might be wrong, and the Government might have been misinformed, but the Government told them plainly they were asking them to fasten upon the mining industry irrevocably and compulsorily at the end of five years a system which would involve admittedly grave danger at this moment, and which they had no reason for supposing would be any less dangerous at the end of the period which they were proposing. He was utterly unable to understand how any hon. Gentleman could take that view. It was admitted that the change which was proposed could not be made now. He thought the best course, under these circumstances, was to make what change they thought was safe at the present time, and if in future years these improvements were made, the House of Commons would then be able and, no doubt, willing to go a step further; but to legislate on the hope and speculation that some improvement unknown and undreamt of and unspecified at the present time would be discovered to make what they were doing safe for the miners of the country, was to do a wanton and indefensible thing. He hoped that the Government would earnestly consider this Amendment, not only in the interests of the coal trade, but to secure the welfare of all the interests involved. He had great pleasure in seconding the Amendment.

Amendment proposed—

"In page 1, line 13, to leave out the words 'During the three years after the commencement of this Act.'"—(*Mr. Beck.*)

Question proposed, "That the words 'During the' stand part of the Bill.'"

MR. GLADSTONE: I do not in any way complain of this Amendment. Looking at it from the point of view of the Opposition, I quite agree that the Amendment is a very reasonable and intelligible one; but I am afraid I cannot accept it. In the first place, I would like to deal with one or two points raised by the hon. Gentlemen opposite. Let me deal, first of all, with the point which he raised and endeavoured to make about my action upon the Committee. He says that the proposal which I made to make the period five years was rejected as such by the Committee.

MR. BOWLES: Hear, hear.

MR. GLADSTONE: The hon. Member for Norwood says "Hear, hear," but I will tell the House what really occurred. I put down an Amendment to fulfil a promise which I made on the Second Reading to change the words in the first clause so far as to substitute a period of five years for the period of eighteen months. I put down that Amendment and in it, of course, occurred the words "five years." My hon. friends below the gangway representing mining constituencies, were very much opposed to this five years period because they thought it was an undue concession to make from their point of view, and when the question was pressed they voted against the words standing part of the Bill. The result was that an equal number—I think, putting it roughly, about fourteen on each side—voted for and against this proposal. Those who voted against it were not all hon. Members sitting opposite, because some of my own friends were against it, but an equal number of strong critics of this Bill wanted to eliminate altogether my Amendment in order to make the exclusion of both windings permanent. On this point a number of my hon. friends joined forces with hon. Members below the gangway in opposing the question that those words stand part of the Bill. The result was that the Government were defeated, if I may say so, without offence, by this fortuitous combination of atoms. [Cries of "Oh!"] I pointed out to the Committee that the result of the division did not carry the weight it would have had if the Government had been defeated on the Amendment upon its merits. I think my hon. friends below the gangway wanted a lesser period, but hon. Members opposite did not desire any figures at all inserted. The point is that that vote on the Committee did not carry any substantial unanimous wish of the Committee; in fact, it was really accidental, and all I am anxious is that the House should know the facts. When the five years period was knocked out the Committee was in an *impasse*, because there was a blank in the Bill, and if the Government had not given some advice, it would have been impossible to have agreed upon any proposal. As a matter of fact, there were something like six alternative proposals, and I had to recommend some course. The result was that, in order to fill in the blank, I recommended the acceptance of an Amendment proposing three years, and I stand by that Amendment now. Therefore, I think there is nothing in the point of the hon. Member, because it is merely one of the accidents which often happens under the Rules of the House. At that time I distinctly said that I was not committed to my Amendment, and that when the Bill returned to the House of Commons the Government would have to stand by their own proposals. The quotation from my speech which has been made by the hon. Member for Norwood was precisely the same as that which was made by the hon. Member for Dulwich, but I observe that the passage which has been read out must have been either my second or my third intervention in the discussion. I can easily explain what I meant at any rate. It is quite true that at all stages of this Bill I have dwelt on the necessity of guarding against any possible danger which might be accentuated by its passage. In the course of my observations I had to reply to the argument which has been put forward that there are dangers existing at the passing of this Bill which will not exist in three or five years time. The particular observation quoted against me I am satisfied is something which I said parenthetically to the effect that the occupation of mining is a very dangerous one and that you cannot get rid of the general dangers incidental to the mining occupation in three, five, or ten years, or, in fact, in any given number of years. What has been quoted against me by the hon. Member for Norwood is an observation apparently applying to the general danger of mining.

MR. BOWLES: That is not so.

MR. GLADSTONE: On the question of danger, however, let me state this. The hon. Member opposite has said a good deal about the changes we have made in this Bill. Let me point out to the House distinctly that every single change which has been made has been in the direction of affording greater safety in regard to the possibility of accidents.

MR. BOWLES said that his complaint was that they had not gone far enough. He did not blame the right hon. Gentleman for changing his Bill in the direction of mitigating those dangers, but that he had not taken sufficient precautions against the dangers which existed to-day, and which he admitted. He thought everyone who looked into the Bill would agree with what he said on this point.

MR. GLADSTONE: One thing, at any rate, cannot be said about this measure: no hon. Member can argue that the Bill has been rushed through the House. At every stage we have given the measure protracted consideration. In the first session of the new Parliament, when I proposed that there should be a Committee of inquiry on this subject, I got hardly any support at all for my proposal, and an hon. Member on the front bench opposite went so far as to get up and denounce me for my dilatory procedure. Nevertheless, we appointed a Committee which fully investigated this question, and after the Committee had inquired and reported, naturally, many considerations occurred to us which demanded, on our part, further special examination and inquiry. Let me recall to the House one material point which arose in regard to the winding question. The managers of coal mines came to the Home Office and made certain representations to us on this point, and even at the present moment I think it will be generally admitted that there are great possibilities of danger from the present system of winding.

MR. KEIR HARDIE (Merthyr Tydvil) said there were only seventeen winding accidents out of 1,142 accidents in mines.

MR. GLADSTONE: No, the hon. Member cannot have it both ways.

MR. JOHN WARD (Stoke-on-Trent): There ought to be no accidents at all.

MR. GLADSTONE: I agree that every possible precaution should be taken against accidents. I maintain that shocking accidents occur in winding, and we have had many fatal accidents from this cause, therefore it is our bounden duty to see that this Bill does not increase the possibility of accidents from winding. There is really no satisfactory power of controlling the speed of winding. In the light of the knowledge we have gained by our inquiries we have made several Amendments in the Bill in the interests of security against both personal and economic accidents. Under this Bill the time occupied in winding the men up and down has to be approved by the inspector of mines, who will have to consider in what time the men can be reasonably taken down and up the mine consistently with safety. No doubt the inspector, if he errs at all, will err on the side of safety, and that is his duty; probably he will give two or three minutes extra on the right side, and if there is any danger in excessive speed, or the rapidity of getting into the cage and out of it, that responsibility in the future will rest absolutely with the management of the mine, and cannot be attributed to this Bill. We provide actual safety in winding under this Bill by laying down that the time occupied in winding shall be of certain duration calculated upon the circumstances of each mine. We have also made special provision for other dangers, and we have amended subsection 2 (*b*) of Clause 1 in the same direction. I think, with the changes we have put into the Bill, we have eliminated as far as possible any possibility of danger. We cannot, therefore, accept this Amendment which permanently adds half an hour more to the statutory period of work underground. As the measure now stands, we have made large and adequate concessions on this subject, and therefore I am not now willing to accept this Amendment.

MR. KEIR HARDIE said he wished to say a few words on the point of safety. The hon. Member who moved the Amendment specifically mentioned winding as a dangerous part of the time which the miners spent underground, and he emphasised that point. In the Returns published by the Home Office for the year 1906, figures were given as regarded all accidents underground, and on page 23 the number of deaths from winding was given as four, whilst the number of accidents occurring during ascending and descending by machinery was only thirteen, making a total of seventeen out of a grand total of 1,142.

*MR. BECK said he quoted the figures given by the Home Secretary in his speech on the Second Reading of the Bill. Ninety-eight persons were killed in shafts in 1907.

MR. KEIR HARDIE said the only point he endeavoured to make was that the number of accidents from over winding was small as compared with the accidents assigned to other causes. For instance, accidents from falling into the shafts had no connection with winding It was much more likely that they were due to the fact of the man at the top making a mistake in shoving the trucks on to the cage; and the hon. Member ought to know that. Under the subsequent provisions in the clause when both windings were to be included, the approval of the inspector to the period to be fixed by the manager would secure under his responsibility that adequate time was allowed for the two windings, and, therefore, that would make for safety.

MR. LUPTON (Lincolnshire, Sleaford) said he had listened to the weighty speeches made by the mover and seconder of the Amendment, but he failed to hear any answer to them in the speech made by the Home Secretary. The right hon. Gentleman admitted that to bring the eight hours limit into force at once would be attended with increased danger, but he hoped that in the course of five years that that danger would be mitigated by improvements in machinery. This problem of winding in shafts had been dealt with by engineers for a hundred years past, and everybody knew that it was a vain and vague idea that in five years there would be some invention which would make a great improvement on the winding machinery that would remove all danger. If this Amendment was not carried, and the Home Secretary's Amendment for substituting a five years for a three years period were carried, the whole time that the miners had to remain underground, both windings included, was eight hours after the expiration of the five years. He did not know on what grounds it was so often said that one winding was excluded. If the first workman left the shaft at 6 a.m. the first workman must return to the shaft at 2 p.m., and if the last workman left the shaft at 6.30 a.m. the last workman must return to the shaft at 2.30 p.m. That was the only time allowed for any man to be underground. The mine manager might make any rules he liked as to the precise order in which the men went down into the mine and came up, but that would not alter the fact that they must on the average be underground for eight hours only, both windings included. The hon. Member for Merthyr Tydvil argued that there had only been seventeen fatal accidents from winding and descending and ascending shafts, and he differentiated between winding accidents and shaft accidents. He said that an accident from pushing the tubs on to the cage at the top of the shaft was not a winding accident; but if under this Bill the men were driven too hard, in order to get the miners up to the surface in time, accidents were sure to happen. There would be increased hurry in the ascending and descending, and with that hurry accidents would be more frequent. The ill founded hope that in another three or five years improved machinery would guard against such accidents was no defence for such a monstrous piece of legislation as this.

SIR F. BANBURY said he had listened to the speech of the Home Secretary, and the effect of his statement was perfectly accurate, except in one particular. The only question before the Committee was whether both windings were to be excluded for all time, or both after a fixed period, or one after a fixed period. The right hon. Gentleman would remember that in answer to him in Committee, on the question of the omission of any period at all so that both windings should always be excluded, he stated that he did not deny that there was a danger connected with winding, but he thought that within a period of five years, science would be so far advanced that improved methods of winding would be introduced, and in that way danger would be avoided. He was not a scientist, and he could not prophesy as to whether in five years the advance of engineering science would be able to produce improved machinery so as to obviate all danger. What he asked was this: Why, if in five or six years time the prophesies of the right hon. Gentleman turned out to be right, should not a Bill be introduced so to amend the Act as to secure what the right hon. Gentleman proposed to do now? He ventured to say that that would be the proper course to pursue. The right hon. Gentleman said that under subsection (4) of Clause 1, and under Clause 2, precautions were taken which would avoid any risk of danger in winding. He did not remember that that argument was advanced by him in Grand Committee. He pointed out that under Clause 2 there was practically no safeguard against danger at all; because all that that Clause provided was that a period should be fixed, and should be registered in a book, and that the men should appoint a representative to see that that period was registered, and that any person making false entries should be liable to penalties. It was said by Clause 5 that the inspector of mines—he presumed the Home Office Inspector—should determine such times as he might deem reasonable for the winding. There was certainly a safeguard in that provision; but as he uderstood it, in different mines the time for winding was shorter or longer according to the depth of the shaft and the machinery provided. In mines where the shafts were very deep, the danger must be the greater. [Cries of dissent.] At any rate, the deeper the shaft, the shorter the time for winding; and when the miners were restricted to a very short period of work underground, and the longer they had to take to get to the seam where they had to work, the greater would be their hurry to get to and from their work and therefore, the greater the pressure would be put on the colliery owner, not only by the men, but by the inspector to allow as short a time as possible for the winding. The inspector might say that a certain time, which he thought was a short time, would obviate the difficulty. But then there would be the other danger, that all the men would endeavour to get taken up as quickly as possible, there would be great confusion both in going down and in coming up, and after all the inspector, who was only human, might overlook the natural desire of men to go on winding. It was because of that, that the Opposition desired to obviate that and exclude the windings altogether. There was another object in the Amendment. The House was going to make a great dislocation in the trade, and whether it was right or wrong it could not be denied that to make two dislocations in the trade would be very bad indeed. They ought to make up their minds what they were going to do, put it into the Bill and pass it, but let them not in three or five years time make another dislocation. For these reasons he had very great pleasure in supporting the Amendment.

*MR. J. F. MASON (Windsor) said the Home Secretary had said just now that the Opposition had had a very full opportunity for discussing this Bill. Unusual as that treatment was to them and producing as it did a somewhat unexpected feeling, acknowledgement was due to the right hon. Gentleman for it. He quite agreed that the right hon. Gentleman had given a very full opportunity for the discussion of this measure and that the Closure had not been moved in any unusual degree. The question before the House was whether the full effect of the Bill should be taken in one step or two. The objections which he had to make to the full effect being given in two steps were, first, on the ground of danger, and secondly, on the ground that a double disturbance would be created in which the whole of the trade of the country would be involved. The hon. Member for Merthyr had just pointed out with regard to the question of danger, that at present the danger from winding was extremely small. Of course at present the winding arrangements were in the hands of the managers of the owners of the mines, and they had no object in unduly hastening the operation of winding because they could at present take their own time. The right hon. Gentleman seemed inclined to agree that danger from this source was not very real, because instead of allowing freedom to the owners and managers in this matter, he proposed to put the winding under the inspector. He was now to be responsible for the safety of the winding operations. But, as soon as the winding operations were put into the eight hours, he ventured to think that the tendency towards haste must inevitably arise and could not be overcome. If the right hon. Gentleman was right and this danger was to be entirely obviated by the multiplication of the duties of the inspector, of course the whole object of postponing the operation of the Bill for five years in this regard would disappear. But the right hon. Gentleman had maintained and still maintained that it was necessary to postpone the operation of the winding under the Bill for five years on the score of danger. He gave no reason which might lead them to believe that the danger which existed to-day would not exist in five years time. He spoke generally of new inventions and of improvements that might take place in the next few years, but that was really the sporting instinct of the right hon. Gentleman coming out. He could not resist taking a good sporting chance. But a more serious objection to the two steps was based on the effect it would have on the trade of the country. Everybody knew that the disturbance which was going to be caused by a change of the kind and magnitude proposed was one that might create difficulties, which would possibly develop into great difficulties between the men and the owners; questions that certainly might, and probably would, affect the price of coal in some degree and which in that case would create uncertainty if not disturbance in all those industries which depended upon coal. In addition to that they would have the very costly process of reorganising and rearranging the workings of the mines, a process which could not be accomplished without great expense and trouble, and they were to be asked to pay all this expense and take all this trouble twice instead of once and for all. He could not help thinking that there had been no real answer given to the suggestion that the proposal of the Government would create a great disturbance in all great industries in the country. He maintained that even if the Bill came into operation with its full effects at one step it must create a great disturbance, and for his part he would rather have a greater disturbance once than have a great disturbance now and duplicate it in five years time. But, quite apart from what might be the actual effect at the end of five years, there would be the anticipation of having to go through at the end of that period a disturbance similar to that which they had to go through now, and that would create a spirit of unrest which in itself would be a most serious objection to postponing the operation of any portion of this Bill.

MR. GLADSTONE: We took the whole of one sitting in Committee to discuss this question; may I ask the House now to come to a decision upon it.

MR. BONAR LAW (Camberwell, Dulwich): I have no desire to make anything in the nature of an obstructive speech, but in my opinion that is one of the most important Amendments that could be discussed, having regard to the adoption of the principle of the Bill. But with all due respect to the right hon. Gentleman, and I do not wish to say anything offensive, I am bound to say when we are engaged upon an important Bill like this it is hardly fair that supporters of the Government should take up the time of the House in long discussions on every unimportant point, and then for the right hon. Gentleman to expect the House to pass without debate the most important part of the measure. This is the most important Amendment that can be discussed, having regard to the adoption of the principle of the Bill. But, so far as I can judge from yesterday's proceedings, the attitude adopted by supporters of the Bill is to be quite willing to speak on small points upon which they can make a case, but to maintain a conspiracy of silence on the large points upon which no case can be made out in support of the Bill. I can certainly prove to the House that so far as the right hon. Gentleman is concerned this is a new departure and that what he said in the Committee was that this second winding ought not to be included in the Bill. If the right hon. Gentleman says that he has changed his mind, or the words then used were used inadvertently, I am quite content to accept his statement and argue the matter upon other grounds. But he did make the statement that the second winding should not be adopted for five years. The right hon. Gentleman said in the Committee—

> "The view we take is, having regard to the question of danger, that the period of five years is a reasonable period."

Obviously, that could only refer to the question of windings, because if it referred to the question generally of the dangers imposed by the Bill it would have applied to the postponement of the whole Bill. Then the right hon. Gentleman goes on to say—

> "I do not say that it will cease in five or ten years, but the danger will be reduced and mitigated in the way I have explained. The first method of mitigation is that new windings would be put into operation, upcast shafts may be used for windings where they are not so used now. The haulage ways may be altered for the safer getting out of the men."

All that is true to a certain extent, but obviously that kind of thing will cost a great deal of money, and therefore if the miners are to get the advantage of greater safety from this change a great deal of money will have to be spent, and that money will not be spent unless the owners are compelled by Parliament to spend it. Then the right hon. Gentleman goes on to say—

> "Other improvements and inventions unspecified may be made with regard to winding arrangements."

Of course any amount of improvements may be made, and it is quite possible that inventions may enable us to get heat from the sun and that coal will not be needed. But it is time enough to legislate for those things when they arrive. The right hon. Gentleman says there is danger but that it can be mitigated. Obviously, if that danger relates to certain conditions of work in the mines and it is only necessary to adapt the conditions of those mines to this Bill, five years is an absurd time to postpone these operations. But the right hon. Gentleman must feel that it is not possible to get over the danger by these measures. Then, again, if he is relying on changes caused by improvement and inventions which may take place in the future, surely it is his duty to leave it to a future Parliament to legislate for those changes. There might be dangers from this point of view. The hon. Member for Merthyr pointed out that the proportion of accidents through the shafts was comparatively small, but that does not touch the point. Everybody knows that in the majority of the mines the difficulty of getting out is the winding of the coal. If you have to include in the same period the winding of the men as well as of the coal, obviously it will be to the advantage of the manager to have as little time used in winding up the men as possible so that more time may be given to the winding of the coal. What protection can we have that this will not be carried out to an extent that will increase the danger to the men? The arrangement, it is true, is under the control of an inspector, and the men are also brought into it and may make representations; but no one who is at all acquainted with coal mining is ignorant of the fact that the men get accustomed to the danger of their occupation, and that is the last thing they will think about. They will hurry to work so that they may have a longer time in which to earn money. There will undoubtedly be a rushing time all the way along, which must increase the danger to the safety of the men in the mine. It seems to me that if the right hon. Gentleman did not himself realise that he would have brought the whole of the Bill into operation at once. As my hon. friend behind me has said, one of the great objections to the Bill as it stands is that we are going to have two dislocations of trade. If there is going to be two windings—I have not consulted anyone connected with the trade, and I do not know whether they will agree with me or not—but if one of the windings is to be included in the eight hours, it would be far better to postpone the operation of the Bill for a year or eighteen months, and then have the whole thing come on at one time. I think the right hon. Gentleman would admit that if he did not realise it is too great a danger and that he cannot risk taking that step. If he does realise it, obviously his proper course is to leave the Bill permanently until Parliament alters it in the way in which this Amendment alters it, and leave it to himself if he comes back or to his successor to make a change which will be justified by improved conditions when those improved conditions are there, and the House can judge as to their validity.

MR. E. EDWARDS (Hanley) said the whole position of the Miners' Federation appeared to be involved in the discussion of this particular Amendment. He wanted the House to realise that they thought they were discussing an Eight Hours Bill in a modified form from bank to bank, but he was reminded now that the object of leaving out these three years was to exclude permanently the two windings. That was a position in which the Miners' Federation could never acquiesce. Again and again in the House the case had been put as one of eight hours from bank to bank, but the Miners' Federation, taking advantage of what had happened in the past, had tried to meet the views of the country and the fears which had been created by suggesting that they should take this measure in stages, and, of course, the Government to an extent had adopted the same principle in this Bill. He quite saw now that the drift of this Amendment was to exclude permanently the two windings and to leave the possibility of men and boys being underground for nine and a half hours, and ten hours in some cases. That was an impossible position. Now they were told to-day that it was a question of safety. He realised as much as any hon. Member that the matter of safety was an important consideration for Parliament. They were not unmindful of the fact that it was an important phase of the question, but they realised too that if they postponed the operation of this clause for ten or twenty or fifty years they would never remove this question of danger about either mining itself or the winding in and out. As a matter of fact, there was no truth in the suggestion that they would do away with the danger in three years or in five years. The danger in mining would always exist, and the House would be asked from time to time to legislate—and he could quite believe that the House would accept the views put forward—to minimise the number of accidents. All they did was to reduce the time that the men should be underground. They were not suggesting that they should create a new heaven and a new earth by this Bill. They had always said that eight hours out of twenty-four was long enough either for man or boy underground, and they did not seek for a moment to hide their true position. The Amendments moved, so far as he had been able to gauge them, were all intended to lengthen the shift and to provide that men and boys should be down underground longer than had been proposed in this House again and again. Any attempt to break away in the main from the eight hours from bank to bank would not satisfy the great mass of men who for twenty years had been clamouring and agitating in this House for eight hours from bank to bank. The hon Baronet and others said: Why not bring it into operation at once? Did they wish to convey the impression there that if the Miners' Federation agreed that the Bill should be brought into operation at once it would make its passage any smoother on those benches? The whole object of the five years was to enable the trade so far to adapt itself without inflicting a serious injury upon the country itself. That was the position, and in that position they stood to-day. They did say there must be a limit at any rate to one of the windings if they were to realise the ideal of the promoters of the Bill.

VISCOUNT CASTLEREAGH (Maidstone) said it was gratifying that the conspiracy of silence had been broken through by one of the hon. Gentlemen representing the Labour Party. He should have thought the importance of the speech delivered by his hon. friend on the front bench below was worthy of an answer by the right hon. Gentleman opposite. The importance of the Amendment, which he maintained was far the most important point to be discussed that day, was apt to be lost sight of in the recriminations which had been indulged in as to what the right hon. Gentleman said in Committee. It was entirely in the interests of safety that they believed that the two windings should be excluded if ever this Bill came into force. The right hon. Gentleman travelled a certain portion of the journey with them, but at the end of five years he parted company from them and branched off into the realms of speculation and attempted to prophesy. He believed that prophesying was an indictable offence and came under the right hon. Gentleman's own Department. He asserted that in five years time invention would have made such strides that there would be means for providing for the safety which he, based on expert opinion, was convinced did not now exist, and so he joined with them in saying that two windings should be excluded. That was a curious way of legislating. He bound his successors to do something which he was not prepared to carry out himself. Was it not possible for him to accept the Amendment and to exclude both windings? If those inventions were brought into force, surely it would be possible in five years time to bring in an Amendment to this Act and so to carry out what the right hon. Gentleman desired.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he would not detain the House for many moments, but the right hon. Gentleman would recognise that this was a very important matter, if not the most important they would discuss that day. The point was, Were the two windings to be excluded until Parliament otherwise determined, or for a period of five years only? He thought the wisest course was to leave the period open. They did not know at all how this Bill was going to work. It was quite capable for Parliament, when they had had experience of excluding the two windings, to pass another Bill to restrict it further, and that was the wise and the only safe course to adopt. In the words of the right hon. Gentleman himself, it was in the interests of safety. He would like to quote one or two of his words in the Grand Committee. When moving the Amendment about five years which he had promised the right hon. Gentleman said—

> "The Government adhere to the statement which I made to the House to impose the period of five years with both windings excluded, because we thought it was desirable in the interests of safety."

There was the reason which the right hon. Gentleman gave for moving that Amendment. Their point was that there was danger in winding, and the right hon. Gentleman admitted that. For himself, he was astonished that more accidents did not occur. Did the House realise what a pit shaft was? It might be 500 yards deep, with cages travelling and meeting one another at twenty miles an hour. [AN HON. MEMBER: Sixty miles an hour.] Well, perhaps at sixty miles an hour. If the period of winding was to be included in the restrictions the temptation would be to speed up and to get the men up and down as quickly as possible. The second reason was that the Bill as it stood, with both windings excluded, would put a restriction on output that would be very large indeed. Calculations had been made as to this, and if they estimated what the restriction of output would be by the diminished available number of persons engaged in bringing the mineral from the work place up to the top of the pit—because that was the proper index to the restriction, and it was not the amount of coal got by the hewer which would have to be taken into consideration, but the amount of coal they could raise to the top of the pit—they would get the amount of the diminished output which would be caused by this Bill. The proper index of restriction was the labour in manipulating the coal from the work place to the pit mouth. If they took that as a basis of calculation, as they would when this Bill became law, it would put a restriction on output of 8·76 per cent., amounting to over 21,000,000 tons per year. Was not that an important question? A much less quantity than that would affect the price of coal. The coal market was very sensitive to the slightest restriction on output. Perhaps 1,000,000 tons might affect the market, but here they had a calculation that the restriction, with the two windings excluded, would represent as much as 21,000,000 tons. He agreed with his hon. friend the Member for Windsor when he said that if they were going to have an alteration let them have it, for convenience, at one time. The proposal of the Government was now that there should be five years, with the two windings excluded. At the end of the five years, one winding would be excluded, but supposing the one winding was included there will be a further restriction, and the calculation was that a further restriction would perhaps amount to another 5,000,000 tons. That was a very serious matter, not only for the coal owners and coal consumers of the country, but for large industries like the iron and steel industry, and was especially serious in view of foreign competition, in combating which they could not afford to have the price of making steel higher than it was. For these reasons he hoped that the Amendment would be accepted.

*Mr. VERNEY (Buckinghamshire, N.) said he desired to say one or two words on this question, having been a Member of the Grand Committee. He quite acknowledged, as every member of that Committee must admit, that the subject which they were now discussing was one of serious importance. Take the arguments which they had just heard, namely, as to the question of economy and also that of safety. The question of economy seemed to be one on which it was perfectly safe to appeal to past experience, and he had what seemed to him to be an extremely important passage in the Report of the Departmental Committee. They found on page 23 of that Report the evidence of a witness whose testimony could not possibly be questioned, as regarded either his competence or his experience. If the House would permit him he would read just one passage—

> "Dr. James Dixon, who represented the coal owners of the West of Scotland, stated that in the year 1900, nine to nine and a half hours was the winding shift in the Lanarkshire mines, and that was reduced to eight hours. This was accompanied by a curtailment of meal hours and a 'hurrying up all round.' In answer to the question whether the reduction of working hours resulted in a commensurate diminution of output he replied: 'No, it certainly did not.' In Lancashire we find the produce per man in 1899, the year before the alteration of hours, was 422 tons; in 1901, the year after the alteration, it fell to 407 tons; but in the following year, 1902, it had recovered to 419 tons."

That was the product per man. Surely the right hon. Gentleman on that basis would not venture to deny the evidence given by this experienced witness. This applied not only in regard to coal mines, but there was extremely important and valuable evidence given from the Woolwich Arsenal. He would not quote that at length, but it was a case in which some of them who had watched the economic side of this question for some years past, were forced to the conclusion that there was a reserve of working power in the case of every man, whether he was working underground or working elsewhere, and when that reserve of working power was put forward, as it was with reference to the question they were now considering, between those who represented the men and those who represented the masters, surely they might calculate upon that being operative in the case of coal mines as in the case of other great industries in the country. Listening as he did most attentively to a great deal that went on upstairs, it struck him that the general result of the Bill, if carried into law, would be a better understanding between those who represented the masters, and those who represented the men.

*MR. SPEAKER: That is hardly the question now before the House. The hon. Gentleman is making a Third Reading speech.

MR. VERNEY said he would not pursue that part of his argument further. He merely wished to say that it seemed to him, at all events, that the quotation which he had read to the House was apposite, and very much bore out the contention of those who promoted the Bill.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said: I think it only right I should say that we should not rely too much on those quotations from the Report of the Committee. With regard to Lanarkshire, the figures quoted by the hon. Member on further inquiry have been shown not to be altogether accurate. The fact remains, however, that in many instances the reduction of hours has not been accompanied by a reduction of output per man. That fact remains as the experience of this and other countries both in regard to mining and other industries. The case of Lanarkshire, which, it is true, does not help the argument very much, is peculiar, and the deduction drawn from it by the hon. Member opposite is not accurate, because in Lanarkshire I am informed, on expert evidence, the collieries are being more and more worked out, they are becoming more and more difficult to work, and they are becoming less and less rich. That is the reason why the output per man is decreasing in that particular coalfield. In order to avoid possible misunderstanding, before we go to a division, I think it necessary to say an additional word as to the reason which has led the Government to propose this period of five years with the exclusion of both windings. It was thought desirable when we first introduced this Bill, for economic reasons to propose that during a period of eighteen months the hours should be nine a day, and that after that period the hours of labour should be reduced to eight hours from bank to bank. That, however, was objected to from the standpoint of the coal owners, who said it would be a great disturbance of trade after too short an interval. In order to meet their views, so far as possible the Government proposed that there should be an intermediate period of five years. Then the question arose, what should be the state of things during that period of five years? It was felt that to make it nine hours for five years would be too wide a departure from the purpose of the Bill. It was decided instead to have an additional half an hour during the period of five years. The question then became how that half hour was to be defined. There were two proposals. We might have said that eight and a half hours should be taken for a period of five years, or that eight hours should be taken for the five years, with both windings excluded, because one winding averages half an hour. The economic effect of either proposal would have been very much the same. We had to determine which of these two methods should be adopted. There came under consideration the question of safety, which has weighed very much with my right hon. friend who has spoken with emphasis upon it on more than one occasion. And it is for that reason that we adopted the method, instead of eight and a half hours a day, of excluding both windings, which is really the same as eight and a half hours a day. There is indeed a possibility that if both windings were included in a period, whatever that period may be, there might be some undue haste. As a matter of course the coal managers do now get the windings done as quickly as they can with due regard to safety. That probably will be so in future. What my right hon. friend has said is this: Not that all the dangers from winding will disappear in the period of five years—he has said that you cannot expect to get rid of all the dangers of winding whether you take a period of five, ten, or 100 years,—but that if you do allow the exclusion of both windings for some period you will reduce *pro tanto* that risk, and that during the period arrangements will be made by improving the equipment of the mines, by means of three deck cages, by means of additional shafts and so on, to mitigate any dangers of that kind. It is for that reason this method has been adopted. If the two windings were permanently excluded, then it would no longer be an eight hours from bank to bank Bill. Hon. Members tried to get forty minutes extra for refreshment and rest, and now they are trying to secure an extra thirty minutes on the ground of safety. The effect would merely be to establish in perpetuity an eight and a half hours day from bank to bank. For that reason the Government resist the Amendment.

MR. HICKS BEACH (Gloucestershire, Tewkesbury) said the change at the end of the five years would have a very serious effect on the old collieries where a winding sometimes took as much as one hour each way. It would also very seriously affect modern collieries, where the winding took much less time, often being done in as short a time as twelve minutes. He submitted that if this five years were left out, and the windings were permanently excluded, it would not have a serious effect on trade, and would make the Bill much more generally workable throughout. Nor would it have a very serious effect on some of the modern collieries. The hon. Member opposite had quoted a certain paragraph in the Report. He would like to refer him to the general conclusions of the Committee, which, he would find, offered a very different interpretation from that which was brought forward. If he looked at page 60, he would find that though the Committee did not agree in regard to some matters, they reported—

> "That, nevertheless, some diminution of production would follow the statutory reduction of hours, whether introduced gradually or suddenly."

They must take that to be the considered view of the Committee as a whole, and it was desirable to refer to that rather than to one piece of evidence in a contrary direction. The Home Secretary had told them that under the Bill they were really making increased provision for safety, because the inspector had to give his sanction to the particular time of of winding that was to be allowed for in each colliery. He laid very great stress on that point, and made out that by enforcing that regulation the Government were making increased provision for safety under the Bill. He could turn to his speech on the Second Reading on the Bill where he went largely into the question of safety, and he would like to quote his words—

> "Very likely some of my hon. friends below the gangway will not agree with me in this, but I have a special responsibility in this matter, and accidents, when they do happen, are serious. A limitation which is unduly sudden may, and probably will, produce some danger. Under Clause 2 of the Bill inspectors have to approve a reasonable winding time. It may be said it ought to be discretionary to secure safety in winding, and, in my opinion, it is not by itself adequate."

That appeared to him to be rather contrary to the view put forward by the right hon. Gentleman that the provision for the inspectors certifying times of winding would be adequate to secure safety for the miners in ascending and descending. He could not reconcile the two statements. He preferred to adhere to the former statement, and he thought that the Government themselves admitted, as they did then, and as the right hon. Gentleman did on the Committee stage of the Bill, that it was not safe for the full effect of the Bill to be brought in at once, and therefore an exemption must be allowed for five years. It was the right and honest thing not to put in the period of five years at all, but at the end of the five years if they found the production of coal had not been seriously diminished and the safety of the miners had not been jeopardised by the restriction of hours already enforced, it would be time for the Government to introduce another Bill imposing further restrictions.

*SIR C. J. CORY (Cornwall, St. Ives) said the Under-Secretary had told them that the reasons the Government had for excluding the two windings for five years were on economic grounds and on the grounds of safety. The Home Secretary in Committee had laid down very strongly the reason for the exclusion of the two windings on the grounds of safety, and yet the Under-Secretary said, notwithstanding the strong reasons adduced in regard to the five years on the grounds of safety, he could not think of making it permanent, because it would destroy the principle of the Bill. Surely it was much more important to ensure the safety of the miners for all time than to preserve the principle of the Bill. Then the Home Secretary said the opponents of the Bill wished to exclude the two windings permanently; but that did not at all follow if it was left out altogether, because, as had been pointed out, there was nothing to prevent a future Parliament amending the Act so as to bring one of the windings in. He would much prefer, instead of excluding the two windings permanently, that the whole Act should be passed for a five years period leaving it for a future Parliament, if it was found that it worked successfully, and was not detrimental to the trade and the other industries of the country, and was appreciated by the miners themselves, to re-enact the provisions of the Bill. He was perfectly sure if that were done that any future Parliament, if it was a success, no matter whether it was a Liberal or a Unionist Government that was in power, would not dare not to re-enact it. They had, indeed, the example of the Agricultural Rating Act, which was passed for a period of five years. It was strenuously opposed by the Party now in power, but apparently it gave satisfaction to the agricultural interests in the country, or it was felt that it would be a revolution not to re-enact it, and the Government which opposed it when in opposition, re-enacted it when they came into power. It had been pointed out that the danger of including the winding period was that it would cause hurry and increase the number of accidents, and they knew from experience that men would hurry even to their own great danger, and were often glad to stay a little longer at their work and get home quickly afterwards. In his own experience in the last few years he remembered the case of a dock company where a man was going home across the dock premises. and although there were the strictest regulations laid down by the company that men should never cross underneath trains, but should go over the over-bridges, the man rather than go fifty yards further down to an over-bridge went under a train. The train moved as he was getting under and he was at once killed. There was an instance where for saving a fifty yards walk a man ran a great risk which led to the loss of his life. Even with the two windings excluded it meant a great difference to the trade as it at present existed. It affected a very large number of men. It affected, as was shown by the Home Secretary's speech, 478,000 workers throughout the coalfields of the country, and it affected the time, even when the two windings were excluded, of these men very materially indeed. The time they were underground would be lessened in some cases by nearly an hour and a half. Then they had the example of France. There it only applied to hewers, and they had found it had not been a success. It was possible for the Government there to make exceptions and to exclude all collieries, and it was said the exceptions there were very much greater than the rule. Practically the effect was that hardly any collieries were affected by the Act, and it was ignored more or less by all parties concerned. He still hoped the Government would see their way to allow the two windings to be excluded permanently, and leave it for the future to decide as to what was the best thing that could be done in the interests of all concerned, as to whether they make it include one winding for the future or not.

MR. WILLIAM ABRAHAM (Glamorgan, Rhondda) said it was amusing to listen to speeches made in the House and to note the difference between them and speeches made outside. Certain Members, in endeavouring to get elected, professed to be in favour of an eight -hours Bill from bank to bank, both windings included, but now that they were there it was eight hours from bank to bank excluding the windings.

SIR C. J. CORY: The name of the Member?

MR. WILLIAM ABRAHAM: Sir Clifford Cory

SIR C. J. CORY: The hon. Member for Rhondda has stated that I said I was in favour of this Bill before I came into the House. I distinctly and emphatically deny that I ever said anything of the kind. Perhaps he will name the occasion.

MR. WILLIAM ABRAHAM: Oh, yes, I can name the occasion very well; it is nothing new to me. The hon. Baronet addressed a body of his own miners in my constituency, and declared that he was in favour of the Miners' Eight-Hours Bill.

SIR C. J. CORY: This is absolutely untrue. I went at the request of the hon. Member for Rhondda to address a meeting in his constituency on the tariff question. He tried to involve me into agreeing with the whole programme of the Mining Federation of Great Britain by saying I came there as a supporter of the Mining Federation's programme. I distinctly said I came with the greatest pleasure to support the hon. Member as candidate there, but I had nothing whatever to do with the Mining Federation's programme. I differed from it in many ways, but that was no reason why I should not come and support him.

MR. WILLIAM ABRAHAM said he had said what he had said, and he left it there. With regard to windings, they knew that in South Wales the men never had a voice in the arrangements made for winding. The arrangements were made distinctly at the dictation of the employers —four days a week in a number of collieries ten hours winding, two days a week seven hours winding. Would the hon. Gentleman deny that with the seven hours winding at the collieries of which he was part owner they were raising now, and had been for years, within 10 per cent. of what they raised in the long day of ten hours.

SIR C. J. CORY: The hon. Member made some personal reference, but I did not catch it.

MR. WILLIAM ABRAHAM said that in the South Wales collieries—in the collieries of which the hon. Gentleman is a part owner—they have four long days and two short ones, notwithstanding any danger there might be, and the arrangement was made by the employers and the men had no voice in it, and they raised in the seven hours within 10 per cent. of what they raised in the long day of ten hours.

Sir C. J. CORY: No, nothing like it.

Mr. WILLIAM ABRAHAM said that before the Departmental Committee two of the great engineers of South Wales gave evidence. One said distinctly that the coal hewers could and did produce 10 per cent. more coal proportionately in a short day of seven hours on Saturday than they did on the four long days of ten hours, and that had been known for a number of years, and his experience was a very broad and general one indeed. But a man was expected to sit there and hear all these statements——

Mr. MARKHAM (Nottinghamshire, Mansfield): We have to sit and listen to all this nonsense.

Mr. WILLIAM ABRAHAM said that if one could believe that these arrangements had been made in the interests of the men one could sit down and hear these statements, but the men were used to try to prove certain things in which they never had any voice and he thought it was time for the House to understand that these speeches were made distinctly in favour of the employers and to the detriment of the workmen.

Mr. RENWICK (Newcastle-on-Tyne) said he strongly deprecated the attempt of hon. Members below the gangway on both sides of the House to stifle the opinions of those who represented constituencies vitally interested in this great question; but notwithstanding that attempt he had something to say upon this point and he intended to take that opportunity of stating it. To his mind if they had to have a Bill of this description it was absolutely necessary that they should have an Eight Hours Bill exclusive of both windings, and the very fact that they had heard such an extraordinary statement recently from the Under-Secretary to the Home Office proved the necessity for that. The right hon. Gentleman told them that they had to occupy five years in providing means of further safety for those going in and out of the mines. The very fact that he had acknowledged that it was necessary to have further precautions taken to ensure the safety of the miners showed that there was a danger connected with the operation of winding. Then he made the extraordinary statement that in the five years the mine owner had to occupy his time in sinking further shafts and altering the cages. Did the right hon. Gentleman know what the operation of sinking a shaft meant? Was he aware that in the county of Durham there were shafts being sunk at present which had occupied years in sinking and had not yet reached the coal, although they had called in French and German experts and tried all means to sink the shaft? When they went into a theatre they saw emergency exits to be used in case of danger. It was not so easy to put these emergency exits into mines. With regard to the question of altering the cages from two to three deckers, did the right hon. Gentleman know what undoubtedly the experts below the gangway connected with mines knew perfectly well, that the shaft, the winding machinery, and the engine were designed for the cage? All the strains were calculated for, and probably the machinery that was necessary and fit for two-deck cages was absolutely unfit for three-deckers. These were practical difficulties. It clearly showed they had not considered the Bill. They were not practical men, and they had not consulted practical men in drawing up the Bill, and yet hon. Members below the gangway tried to stifle any person who pointed out these difficulties. The hon. Member for Rhondda twitted the hon. Baronet opposite that he had been returned to the House after announcing himself to be in favour of an Eight Hours Bill. At any rate the hon. Member could not say that in regard to him. He was sent there without any pledge whatever to support the Bill; he thought he had a mandate which was very clear to oppose it. He quite recognised the difficulty in regard to the winding operation. They all knew the eagerness with which men left their work at the time for ceasing it. They had only to look at any building when the bell rang, or, as they called it in the North, the buzzer went, and see how every man came down the ladder and left the scaffolding as quickly as possible. There was a danger undoubtedly connected with the winding operation, and from the fact that the Government had made such an extraordinary proposal it was evident that they recognised it. The danger was not to be got over by extending the period to three or five years. It was a danger now, and it would be a danger three or five years hence. He supposed the result of the hurry which would be caused by the Bill would be that they would have a species of whip down the mine to hurry the men to the cages, and instead of hearing, as they did in the lobbies, the cry of "Door, door," they would hear the cry of "Whip, whip" to get to the cages as quickly as possible. They objected to any interference with the hours of actual labour, because they believed it would reduce the production of coal, and any reduction of coal inevitably raised the price far and away beyond what anyone could foretell, and therefore, he strongly appealed to the right hon. Gentleman not to trouble himself with the three or five years.

MR. HARMOOD-BANNER (Liverpool, Everton) said he understood they were going to take two divisions without further debate upon the proposal of five years, and he felt bound to say a word or two in reference to the proposal. He understood the Members who represented labour accepted the five years. As regarded the three and five years he did not propose to say anything except that it was adequately discussed in Committee. As regarded the two other points which arose upon this question, the first was that two disturbances would ensue, one when the Bill came into operation, and the other when the alteration took place five years hence. He should like to point out the almost absolute impossibility of avoiding a strike on both those occasions, which would be extremely disastrous to the country, and to the men and the employers alike. To show what the probability of that strike was, he would only refer to the fact that the day-wage men employed in the coal trade numbered hundreds of thousands. They had had it pointed out that in practice these men were working for twelve hours in Lancashire and ten hours in South Wales, and now suddenly they were to have the enormous boon that for the same wages they were only to work eight hours a day. Unless some rearrangement was made that must add to the cost of coal getting. All these men, he thought, were members of trade unions, and he rejoiced in the fact because they had to deal with the very able leaders of those trade unions in effecting conciliation and getting rid of disputes. Still there was the fact that they had to adjust the relations of labour so far as regarded the men receiving a rate of wages, and suddenly having their work reduced by 20 per cent. Whilst he hoped, with the assistance of the labour leaders, that they might avoid a strike, yet he had very great doubts looking at the number of times the pits were stopped and the men drawn out for reasons much more trivial than would arise from this adjustment of labour. In addition to this there was the adjustment of labour as regarded the hewers. They heard that the hewer would do so much more work that in eight hours he would earn the same wages as in ten, but the question was whether the hewer would be content to work harder at the same rate per ton that he was paid now.

MR. MARKHAM: On a point of order, is the discussion which the hon. Member is now going into in order?

MR. HARMOOD-BANNER submitted that it was quite in order to show the probability of a strike taking place in consequence of the alteration of the hours of labour.

*MR. DEPUTY-SPEAKER (Mr. CALDWELL, Lanarkshire, Mid.): I may point out to the hon. Member that the principle of an eight-hours day has already been determined by the House on an Amendment to leave out subsection (1). The House is now dealing with a proposed modification during a certain limited period after the commencement of the Act. The Amendment with consequential Amendments seeks to remove the limit of time.

SIR C. J. CORY: Is not the hon. Member arguing against the changes which will be effected by this Amendment?

*MR. DEPUTY-SPEAKER: I was only calling attention to the limits of the discussion. I was not giving a ruling on the hon. Member's remarks.

MR. HARMOOD-BANNER said he really did not think he was out of order, because this question of the two dates was a very material part of the Bill. What he wanted to say was that, owing to the fact of this difference in the wages the men would get either less coal and less wages, or more coal and harder work, and it was almost certain that when this disturbance took place there would be a strike unless very great consideration and forbearance were exercised. If that was the case at the present time, why did they say that in five years they were going to alter it again and allow a period of seven and a half hours? When that alteration took place, if for seven and a half hours work a man would receive the same wages, an adjustment would have to be made, with the absolute result that in five years they would be face to face again with a quarrel, or, at all events, a discussion, and they would have to arrive at a decision, with the result that another strike might take place. He disliked strikes and did his best to avoid them, but he was absolutely certain that the dealing with this question in two periods meant two strikes, and he thought the House ought to consider that when they were inserting words about five years. What was the reason for the five years term? It had been plainly stated by the Government and by the miners in accepting three years, that for perfect safety it was desirable to have a buffer term in which to work, and that it was also desirable to exclude, two windings from the pit. He would much prefer that the Government had arranged this clause so as to exclude the two windings and have seven and a half hours work in the pit. That would have been more satisfactory, because the exclusion of the two windings tended to safety, and in the opinion of all mine owners and mine agents that he had ever come across, was the best and most proper manner of dealing with this matter. But apparently the Government, having admitted the principle that excluding the two windings was a means of safety, said: "Oh! we will leave it to you so to arrange that at the end of five years you may have a plan, and then, although at present we only have it in our imagination that there will be a plan, we shall make these two windings separate." That seemed to him to be the height of folly. It was a *post obit* and meant that in five years they would give them a promise of safety which they could not back at the present moment. It was obvious that it was unsafe to have two terms. The difficulty might be obviated by a fresh Act of Parliament when the question arose. It could be dealt with by the men themselves. The Government, however, were going to undertake to do five years hence what they could not do now, and that seemed to him, although perhaps like other actions of the present Government, to be not at all in consonance with the business habits of any business man, who desired to conduct his affairs in accordance with the care and consideration which events of to-day required.

Question put.

The House divided:—Ayes, 207; Noes, 50. (Division List No. 446.)

AYES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barker, Sir John
Barlow Sir John E. (Somerset)
Barran, Rowland Hirst
Beale, W. P.
Benn, Sir J. Williams (Devonp'rt
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clancy, John Joseph

Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins,SirWm.J(S.Pancras,W.
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett,CH(Sussex,E.Grinst'd
Cowan, W. H.
Crean, Eugene
Crooks, William
Crossley, William J.
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh,S.)
Dickinson,W.H.(St.Pancras,N.
Dillon, John
Duncan, C.(Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne,MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Erskine, David C.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Guest, Hon. Ivor Churchill
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt, RobertV.(Montrose)
Hardie,J.Keir(Merthyr Tydvil
Hart-Davies, T.
Harvey,W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert,Col.SirIvor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kettle, Thomas Michael
Kilbride, Denis
King, Alfred John (Knutsford
Lambert, George
Lamont, Norman
Lardner, JamesCarrige Rushe
Leese,SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lundon, W.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(FalkirkB'ghs)
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh,Jeremiah (Down,S.)
MacVeigh,Charles(Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Murphy, John (Kerry, East)
Murray,Capt.Hn.A.C.(Kincard
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholson,CharlesN. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Doherty, Philip
O'Dowd, John
Parker, James (Halifax)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Redmond, William (Clare)
Richards,Thomas (W.Monm'th
Richards,T.F.(Wolverhampt'n)
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel,Rt.Hn.H.L. (Cleveland
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick,B.)
Sheehy, David
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Soares, Ernest J.
Stanley, Albert (Staffs, N.W.)
Staveley-Hill,Henry(Staff'sh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas,David Alfred (Merthyr
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E. (Clackmannan
Wason, John Cathcart(Orkney)
Watt, Henry A.
White,J.Dundas(Dumbart'nsh.
White, Sir Luke (York, E.R.)
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson,J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.Hn.SirAlex F
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry,N.
Beach,Hn.MichaelHugh Hicks-
Beckett, Hon. Gervase
Bellairs, Carlyon
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chance, Frederick William
Clive, Percy Archer
Cory, Sir Clifford John
Cox, Harold
Craik, Sir Henry
Davies, David(MontgomeryCo.
Douglas, Rt. Hon. A. Akers-

Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Hardy, Laurence (Kent, Ashford
Harris, Frederick Leverton
Hill, Sir Clement
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Lupton, Arnold
Lyttelton, Rt. Hon. Alfred
Mason, James F. (Windsor)
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield
Parkes, Ebenezer
Paulton, James Mellor
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Remnant, James Farquharson
Renwick, George
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Stanier, Beville
Starkey, John R.
Thornton, Percy M.
Younger, George

TELLERS FOR THE NOES—
Mr. Beck and Mr. Bowles.

MR. GLADSTONE: This next Amendment is consequential.

Amendment proposed—

"In page 1, line 13, to leave out the word 'three,' and to insert the word 'five.'"—(*Mr. Gladstone.*)

Question proposed, "That the word 'three' stand part of the clause."

MR. KEIR HARDIE did not think they could allow this Amendment to go through without protest, although they on those benches would not attempt to discuss it. He understood that the Miners' Federation had agreed to allow the "three" to go out and the "five" to be inserted. That was, in his opinion, a very serious blunder. He did not understand that either "three" or "five" was in the Bill now, and unless their hon. friends opposite forced a division they would not take any action in doing so. They left it to their responsible friends opposite.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid): I am very glad to hear that the hon. Gentleman is going to take that course. I think the action of hon. Gentlemen has been eminently wise. They have made this arrangement in order to secure the Bill, and, after all, the five years will not be so great a disadvantage as it would be if the Bill did not become law.

MR. BOWLES understood that the Question would be put that the word "three" stand part. If that was so, since for his part he objected to any term, either of "three" or "five," it would be his duty, at any rate, to vote for the leaving out of the word "three." It would then be a matter for further consideration what word should be moved in. He desired to make that explanation in order that his position might be clear.

Question, "That the word 'three' stand part of the Bill," put, and negatived.

Question proposed, "That the word 'five' be there inserted."

*MR. RUSSELL REA (Gloucester) said that in opposing "five years," he desired to substitute a more cautious graduation in instituting an eight hour day for miners. His desire, which would be carried out by the insertion of his Amendment, was to restore the Bill to its original form so far as the first eighteen months of its operation was concerned. The original form was nine hours for eighteen months, then eight hours. The present form was eight and a half hours for three years (or five years), and then eight hours. He moved this because he considered a nine hours limit to be as great a step as it was safe to take in the first instance, and he would remind the House it was as great a step as was contemplated as a first step by the miners' representatives in the House in their own Bill of last year and of this year, as well as by the Government when they introduced this Bill. He could perfectly well understand his right hon. friend desiring to postpone the full operation of the Act for five years, a period which the Committee upstairs reduced to three years. But he could not understand why he thought it necessary, in order to secure an additional half hour's work for the whole of this period, to surrender the additional hour for the first eighteen months. These two objects were incompatible. The additional hour provided by the original Bill for the first eighteen months would have fitted in perfectly well with the proposal to permit the smaller extension of half an hour for the rest of the three years or five years as the case might be. On every possible occasion he had endeavoured to impress upon the House the fact that the greatest difficulty in the institution of an eight hour day in mines was to be found in the extraordinary differences in the hours and in the habits of the different mining districts of the country. The eight and a half hours day which it was proposed to establish for three years by the Bill would cause no change at all in the hours and customs of East Scotland or of Lanarkshire, although it might contract the working day somewhat in Ayrshire. It would affect few collieries in Yorkshire. In the Midlands it would take about half an hour from the full working day; and in Staffordshire something less than half an hour. But in Lancashire it would mean a reduction of one and a half hours in the full working day of many collieries, and in South Wales of no less than two hours on the four full days of the working week. In those two districts this first step, which was to be taken on 1st July, was a far greater step than the second, which would follow in three or five years. Its consequences, not only to the coal industries of those districts, but to all the local industries, were likely to be something more than embarrassing. He did not like to use the language of exaggeration, and he would not say disastrous or ruinous, but it must place those districts and all their industries and inhabitants in a position of relative disadvantage, and injure their competitive efficiency. In instituting a change of this character in a great industry it ought surely to be the first object to make it with the greatest possible regard to local conditions and local difficulties. And when it was found that local circumstances and conditions differed to so great an extent as they did in this industry, it would surely seem to be most reasonable to begin by a process of levelling up from the bottom—to begin with districts in which the hours were now the longest, and thus give them a chance of bringing themselves gradually into line with the more advanced localities. He knew that some members of the coal trade advocated making the entire change, if it was to be made, at one step. But these men had all along been the most determined enemies of making the change at all, and they did not pretend they made that proposal in the interest of the coal consumers, or the public at large. The Members of the House who represented the miners had never adopted that attitude, they had recognised the initial difficulties in applying the eight hours rule, and they had not asked for, and did not now, in their own Bill, ask for as drastic a first step as that now proposed by this Bill. If he were asked what would be the value of this half hour to the districts which must, in any case, reduce three or four half hours from their full working days, he would reply that its value for the first eighteen months would be immense, and out of all proportion to the other half hours docked from the day. Both in Lancashire and South Wales it would be possible to make many readjustments in their methods which would go far to neutralise the effects of the first hour taken from working time. In Lancashire by reduction or abolition of fixed stop hours and meal hours; and in South Wales by rearrangement of short and long working days; but the third and fourth half hour must be taken from the most productive time of the shitt. It was assumed by many that if the Bill came into operation in a time of bad trade, of small demand, and general unemployment, it would come, as it were, without observation. Nothing could be more erroneous. He would remind the House that they were dealing in this Bill with a very inelastic industry, the most inelastic of all our industries. It was an industry of steady growth and expansion. This expansion took place, not by a leap forward in good times and then a stoppage, but by a steady growth through good and bad times almost alike. It would not respond to the stimulus of demand except in the matter of price; scarcely at all in the matter of quantity produced. It varied little from year to year in the quantity produced *per man*, and then not in any regular sympathy with demand. In fact, in times of the greatest demand such as the year 1900, the quantity produced per man had been known to diminish. In this year, which was supposed to be a year of great depression, the coal production was going on pretty much as usual. They did not know the total production yet, but if they took the foreign trade exports and bunkers together for the past eleven months, they found that in a trade of nearly 78,000,000 tons there had only been a decline of exactly 100,000 tons or one-eighth of 1 per cent. There was, therefore, no chance of a sudden expansion of production from the employment of unemployed colliers. They were told that all former prophecies of disaster and ruin to trade to follow restrictive regulations imposed by Parliament had proved baseless, and this would be like the others. He thought that argument could not be brought against him. He had devoted a considerable part of the Report of his Committee to the analysis, and he believed to a destructive analysis of such prophecies. But he found a solid kernel inside a prodigious husk in those prognostications. And the solid kernel was to be found in the more backward districts, in which the industry was less well organised, less modern, and in some respects less efficient, particularly in Lancashire and in South Wales. It was to bring the pressure first upon those districts—a moulding and not a crushing pressure—that he desired to move the Amendment on the Paper in his name. He had spoken as a friend of the Bill, and not as its enemy. His life-long knowledge of the industry, and his late investigations had convinced him that it could be carried on with an eight-hours day, with great benefit to the workmen and without injury either to the employers or the general public, if it were properly organised. The whole difficulty in his opinion, was in the period of transition and in the organisation; and it was with the hope of reducing this difficulty to a point within the limits of safety that he ventured to submit his proposal to the Government and to the House.

MR. KEIR HARDIE, on a point of order said that the title of the Bill was "Coal Mines (Eight Hours) (No. 2) Bill." Yesterday Mr. Speaker ruled that it was an Eight Hours Bill. An Amendment had been submitted providing for an Eight and a Half Hours Bill.

*MR. DEPUTY-SPEAKER (Mr. CALDWELL): No Amendment is competent to the question which is before the House, viz., that "five" be there inserted. A counter period, however, may be suggested in discussion.

MR. LAURENCE HARDY (Kent, Ashford) said he believed that this Amendment would involve a triple operation of the Bill coming into force. It had always been held by those acquainted with the working of mines, that it was far better in the interests of the public, the employers, and the men, that when Parliament did insist on this change in the law they should raise the question fairly and squarely at once, and deal with it in one operation. The proposed Amendment of the hon. Member for Gloucester raised a number of extremely interesting points, but he thought they could not vote for a double or triple operation of the Bill coming into force.

MR. GLADSTONE: The hon. Member who had just spoken has said truly that my hon. friend the Member for Gloucester has raised a number of interesting points which it would not be desirable to decide on now, and for the reason that they involve very close examination of the whole economic problems involved in this very difficult question. Let me say that my hon. friend himself stated that his proposal is limited to the transition period, that it did not relate to the future, to the more permanent results of the Bill, but only to certain disturbances, which he fears may be produced by the Bill coming into operation at too early a date. I frankly admit the great authority of my hon. friend. Everybody who has studied the Report of the Committee will admit that my friend had a guiding hand in the composition of that Report, and that he is entitled to speak with great authority on economic questions connected with mines and mining. Having regard to the present position of the coal industry, and the long notice which the employers have had, with all due deference I question my hon. friend's view that his particular method of inaugurating the Bill is preferable to that proposed by the Government. He said for example, that it will be necessary to consider the arrangements with regard to the men's wages and meals.

I agree that that is a matter of very considerable importance, and I believe that more time is necessary to consider various other matters which have to be arranged by mine owners and managers before the Act begins to operate. But I would recall to the House that under the Bill as it stands, the country generally will have fully six months for completing their arrangements; and that the Bill was practically introduced eighteen months ago in its final form. At any rate, hon. Members must agree that distinct notice was given, so far as the Government is concerned, of the intention to deal with this question. And that was not the first notice; for a year before that the Government announced that they intended to deal with the question; so that for nearly three years mine owners have been possessed of information that the Government meant to introduce legislation on this question. All this time the most far-seeing mine owners, I will not say all, have been discussing and elaborating plans with regard to the possible operations of the Bill. That being so, and having got six months further notice, I cannot see that there is much in the argument that further time is necessary for making arrangements. As I understand it, my hon. friend suggests that in order to give more time to the mine owners to make their arrangements the men should work eight and a half hours during the three years after the commencement of the Act, and during the next succeeding eighteen months, eight hours. I must say that I could not be satisfied with that. The mine owners would not accept his suggestion, because it means three separate stages of the Bill coming into operation, whereas they want it to come into operation at once. Needless to say, the miners would not accept it. The Government could not go so far as to meet the mine owners; and their proposal was that the changes should come on in two stages. For these reasons I cannot accept the proposal of my hon. friend.

MR. A. J. BALFOUR (City of London): I do not intend to say much on this point, but it is of very great importance. My own personal view is that by far the best arrangement would be to have any change that is decided upon made immediately, and when once brought into operation that it should be made permanent. But that is not the point before the House. The point is whether we should have the three stages of the Chairman of the Committee, or the two stages of the Government. As I have expressed my preference for a one-stage process, of course, logically, I am bound to vote for the two-stage process in preference to the three stage process. The hon. Gentleman speaks with all the authority of immense knowledge gained when he was Chairman of the Committee of Investigation; and I think his opinions are well worth listening to; but speaking quite frankly, I do not think he has given us full material for consideration, and I do not know now what is to be gained by this slower adjustment. What is the kind of adjustment? Is it an adjustment between the employer and the employee, or between the producer and the consumer, or is it both? That is a very important question. Take the case of Lancashire or South Wales, which the hon. Gentleman called "backward districts." By "backward" the hon. Gentleman may mean simply that they have longer hours, or that they are backward in plant and organisation.

*MR. RUSSELL REA: I mean in organisation; but both go together.

MR. A. J. BALFOUR: Is the plant in South Wales and Lancashire, then, so far different from that which exists in Leicestershire? [AN HON. MEMBER: No.] Well, if that represents the true facts of the case, and if a longer time were given to Lancashire mine owners to bring the machinery up to date, then the Amendment would not be required. But if Lancashire is not behind Leicestershire or Midlothian in machinery it must be that for traditional or economic reasons Lancashire works longer hours. How is that going to be improved by deferring the time at which the arrangement between employers and employed is to take place? All these readjustments involve difficulties, and I do not see that those difficulties will be lessened in any degree because you have eighteen months rather than six months to quarrel over the matter.

*Mr. RUSSELL REA: The adjustment is not at the end of six months but at the beginning.

Mr. A. J. BALFOUR: I understand that the adjustment is agreed upon at the beginning of the period, and not at the end; but as soon as it is agreed upon the effect will be there. If it is only a question between employer and employed, and if an arrangement can be come to at once, I cannot, for the life of me, see how, so far as these two classes are concerned, there can be any improvement by a slower adjustment. If I am right in my point of view as regards employer and employed, how about the consumer and the producer? I am afraid that under this Bill the consumer may suffer heavily; but will the consumer suffer less by these changes being delayed? I do not see that it would make the slightest difference. The hon. Gentleman himself pointed out how inelastic this producing trade was; and unless in the eighteen months new machinery or new methods of production are going to be brought into operation which will minimise the loss to the consumer, I cannot see how the consumer is to be affected one way or the other by postponing the term from six to eighteen months. I am quite aware that in coal-mining, as in all other industries, we move in a progressive age; and we cannot say that in eighteen months any invention for the production of coal will have a very material bearing on the cost of this universally necessary material. Of the two proposals I prefer that of the Government; although personally I would do my best to have the thing settled once and for all.

*Mr. LUPTON said that Lancashire was celebrated for the excellence of its machinery, and that South Wales had adopted the best mechanism which the coal owners could find. What the hon. Member meant was that they were behind in human arrangements; in the length of the hours which they worked; that they worked longer in Lancashire and South Wales than in some other parts of the country. If they went from ten and a half hours a day, which was the time they worked at present in South Wales, to eight and a half hours a day there was a reduction of 20 per cent. in the time worked. That would produce a reduction of 20 per cent. in the output and in the wages, and would cause great disturbance in the labour and coal markets. Now the proposal was, instead of reducing it by eight and a half hours, to reduce it by nine hours, and if that was done they would be able to speed the men up so that the output would be larger than it would proportionately be, the reduction of wages would be less, the reduction of the amount of coal in the market would be less, and the inducement to strike would be less. There were certain conditions in human nature which must be complied with, and with ten and a half hours they could not speed the men up, but if they limited them to nine hours they could do so. If he had his way he would have ten processes and make the reduction ten times, and that was the only way in which a great crisis could be avoided. He approved the suggestion of the hon. Member for Gloucester, which, if it could be adopted, was, he thought, much better than the proposal of the Government. He found it a difficult thing to vote against the word "five," because if that were struck out he did not know what might be put in; but he should prefer in the interests of the consumer as well as in the interests of the miner to accept the suggestion of the hon. Member for Gloucester.

Mr. MARKHAM said the speech of the hon. Member for Gloucester and that of the hon. Member for Sleaford were completely misleading. They did not work ten and a half hours; the Secretary of the South Wales Miners' Federation assured him that there was not one mine in South Wales which worked ten and a half hours a day; they worked seven hours on Monday and Saturday, and ten hours on other days. He granted that this Bill would mean a reduction of from 54 to 48 hours. With reference to the three settlements might he say this? He believed that the Mining Association of Great Britain, and the majority of the coal owners in the country, recognised that they were going to have difficulties in bringing this Bill into operation, and if they were going to have these troubles and difficulties on three occasions instead of two it would make it much more difficult for the coal owners to settle down with their men. If the Leader of the Opposition thought he could make party capital out of the Bill because of dearer coal, he could tell the right hon. Gentleman that contracts which were made now for next year's supply of coal had been for the whole of the year at prices lower than those which had been made for several years. Only this week the railway companies had made their contracts in South Yorkshire at 2s. 6d. a ton less than they paid before.

Question put.

The House divided:—Ayes, 240; Noes, 47. (Division List No. 447.)

AYES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Atherley-Jones, L.
Baker, JosephA. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, Sir John
Barlow, Sir John E. (Somerset)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Benn, SirJ. Williams (Devonp'rt
Bethell, T. R. (Essex, Maldon)
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, SirWm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, C.H(Sussex, E.Grinst'd
Cowan, W. H.
Cox, Harold
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H. (St. Pancras, N
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, MajorE.Martin(Walsall)
Edwards, Enoch (Hanley)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fell, Arthur
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Guest, Hon. Ivor Churchill
Gulland, John W.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt.Hn.L.(Rossendale
Harcourt, Robert V. (Montrose)
Harmsworth, Cecil B.(Worc'r)
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Kuneaton)
Jones, SirD. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kettle, Thomas Michael
Kilbride, Denis
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe)
Lea, HughCecil (St.Pancras, E.)
Leese, SirJoseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Morrell, Philip
Murphy, John (Kerry, East)
Murray, Capt. Hn.A.C. (Kincard
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholson, CharlesN.(Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.
O'Donnell, C. J. (Walworth)
O'Dowd, John
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)

Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Richards, Thomas (W. Monm'th
Richards, T.F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Sears, J. E.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sheehy, David
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanley, Albert (Staffs, N. W.)
Staveley-Hill, Henry (Staff'sh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, David Alfred (Merthyr
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Watt, Henry A.
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Williams, Osmund (Merioneth)
Wilson, John (Durham, Mid)
Wilson, J.W. (Worcestersh, N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES

Acland-Hood, Rt Hn. Sir Alex. F.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Baring, Capt. Hn. G (Winchester
Barrie, H.T. (Londonderry, N.)
Beck, A. Cecil
Beckett, Hon. Gervase
Bowles, G. Stewart
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cory, Sir Clifford John
Craik, Sir Henry
Cross, Alexander
Davies, David (Montgomery Co.
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Guinness, W.E. (Bury S. Edm.)
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Hill, Sir Clement
Houston, Robert Paterson
Kerry, Earl of
Law, Andrew Bonar (Dulwich)
Long, Col. Charles W. (Evesham
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Mason, James F. (Windsor)
Nicholson, Wm. G. (Petersfield
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Rea, Russell (Gloucester)
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Stanier, Beville
Talbot, Lord E. (Chichester)
Thornton, Percy M.
Wolff, Gustav Wilhelm
Younger, George

TELLERS FOR THE NOES—Mr. Hicks Beach and Mr. Renwick.

*MR. SPEAKER: The Amendment standing in the name of the hon. Member for Glasgow, College, is unnecessary. It is already provided for in the interpretation Act. Those standing in the name of the hon. Member for Tewkesbury are already disposed of, and the other Amendments standing on page 12 are consequential. The Amendment on page 13, standing in the name of the hon. Member for Sleaford is disposed of by what has just been decided, and the other Amendments with regard to inserting the letter (c) are unnecessary. It is a printer's error, and I will undertake that it is corrected.

MR. BOWLES moved to amend subsection (2) of the clause by extending to "other persons whose hours below ground are prescribed by this Act" as well as to "workmen" the exemption from the penalties of being below ground after the statutory hours if they were in the mine for the purpose of meeting any danger. The House would see that the subsection contained an exception from the general rule of the Bill, which provided that no person was to be below ground in a mine for the purpose of his work more than eight hours in any consecutive twenty-four hours. The subsection, however, provided that in certain cases, such as if any workman was below ground for the purpose of rendering assistance in the event of accident or for meeting any danger or for dealing with any emergency the general provision of the measure should not apply. His object was to extend that exemption so that it would apply not only to any "workman," but to any person or persons working below ground whose hours were prescribed by the Bill. There were many persons working below ground who would not come within the description of workmen. Some of this class of persons were dealt with later on and their cases were met by a special exemption. Others had no exemption, but there was no reason in the world why such an exemption should not be extended to all other persons working in the mine whose hours were in any way affected by the Act. He did not know whether the right hon. Gentleman had any distinction in his mind, but he should like to hear from him if he had. He begged to move.

SIR F. BANBURY seconded the Amendment which he said was necessary for all workmen or persons below ground whose hours were prescribed by the Bill. That was to say, it would allow a contracting out of the period of eight hours for any workman or person whose hours were prescribed by the Bill who was below ground after the eight hours had expired for the purpose of meeting any danger. The Amendment was moved because there might be a difficulty as to whether the word "workman" applied to all these persons. There might be men below ground who could not be described as workmen, but whose hours were regulated by the Bill, and it was necessary to provide that in cases of danger or emergency everybody who was below ground should be enabled to escape from the provisions of the Bill if he was there for the purpose of meeting danger. He could not conceive that there was any possible objection to the Amendment. It was really a drafting Amendment and he hoped the Government would accept it.

Amendment proposed—

"In page 1, line 26, after the word 'workman,' to insert the words 'or person whose hours below ground are prescribed by this Act.'"—(*Mr. Bowles.*)

Question proposed "That those words be there inserted."

SIR S. EVANS: The Amendment raises a question as to who is, and who is not, a workman within the provisions of this Bill, whose presence below ground will be perfectly excusable or justifiable in cases of danger, accident, and so forth. I think the intention of the mover of the Amendment and of the hon. baronet who seconded, was to make it perfectly clear that a person who was engaged in preventing fire or danger from arising should have an exemption from the provisions of this Bill as to hours. The definition of "workman" is to be found at the foot of page 2 of the Bill in subsection (7) of this section. It says—

"For the purposes of this Act the expression 'workman' means any person employed in a mine below ground who is not an official of the mine or a mechanic or horsekeeper, or a person engaged solely in surveying or measuring."

And I think it is clear that a person of the class of fireman or deputy is a workman within the meaning of the provision which we are now discussing, and therefore it is not absolutely necessary to have any words at all in order to confer upon them the exemption which is here extended to the workman who is there to deal with danger. If a fireman is an official he does not come within the scope of the Bill at all, and if he is a workman he does come within the provision we are now discussing. But in order to make it perfectly clear I am willing, when we come to line 40 on the next page, to insert the words "other than a fireman, examiner, or deputy." Then the subsection would read: "For the purposes of the Act the expression 'workman' means any person employed in a mine below ground who is not an official of the mine other than a fireman, examiner, or deputy." That will show quite clearly that the fireman, examiner, or deputy will be within the word "workman," though they are sometimes described as officials. If those words are inserted the Amendment of the hon. member will be fully met, but I should prefer to insert them when we come to that portion of the Bill.

MR. BOWLES said that in view of the offer of the hon. and learned Gentleman, which he thought was a very fair one, he did not think he should be justified in dividing the House. He therefore asked leave to withdraw

Amendment, by leave, withdrawn.

*SIR PHILIP MAGNUS (London University) said the Amendment standing in his name was nothing more than a drafting Amendment. The whole of this sub-clause caused a great deal of discussion upstairs, because, after having passed the general provision that no workman should be under ground for more than eight hours, it became necessary to consider very carefully under what circumstances exceptions and exemptions should be made, and the latter part of this clause was framed with a view of safeguarding the interests of the miners and the mine owner, and if possible preventing any accident arising. The clause as it stood read thus—

> "Nor shall any contravention of the foregoing provisions be deemed to take place in the case of any workman who is below ground for the purpose of rendering assistance in the event of accident, or for meeting any danger."

And it was proposed to insert after the word "meeting," the words "or preventing." He understood that the Home Secretary had undertaken to consider this Amendment, which was suggested, he would remember, in Committee. The only object was to avoid any possibility of any accident happening. If a man was enabled to meet a danger when it occurred, then, of course, it was far more important that he should endeavour to prevent the danger from arising and should be protected in so doing. If it was necessary that a workman, as defined by this Bill, should be under-ground for more than eight hours with a view to meet any danger happening, it was, he contended, necessary that he should be protected if he was there to prevent the possibility of any danger. He begged to move.

Mr. HICKS BEACH begged to second the Amendment, which, he thought, was a reasonable one. It was only proposed as a safeguard, and it was really a drafting Amendment, introduced, he thought, to carry out the express intentions of the Committee. They were told in the Committee upstairs that the words, "for meeting any danger" were the same in regard to meaning as preventing any danger. That was much too large a pill for some of them to swallow. But they had not the assistance upstairs of a Law Officer of the Crown, and had to consider the clause by themselves. But it occurred to some of them that "meeting" and "preventing" were not the same thing, and therefore they proposed this Amendment.

Amendment proposed—

"In page 2, line 2, after the word 'meeting,' to insert the words 'or preventing.'"—(*Sir Philip Magnus.*)

Sir Philip Magnus.

Question proposed, "That those words be there inserted."

Sir S. EVANS: Neither the word "meeting" nor the word "preventing" is a legal term, and it is quite unnecessary to go through the form of giving them a legal construction, and anybody is qualified to express an opinion as to the meaning of those words as English words. I really think they do mean the same thing, and I do not think it is necessary to put in the words "or preventing" at all. The hon. Member for the University of London talks about meeting a danger when it occurs. But this does not necessarily refer to a danger that has occurred. It is a danger of something happening. I really do not think the words are necessary, though if I thought they were any good I would put them in. If any alteration were desired at all, I should suggest the word "apprehension" or "apprehended." But I do not think that these words are necessary, or apt, or quite intelligible, therefore I appeal to the hon. Member not to press the Amendment.

Sir PHILIP MAGNUS said he certainly could not agree with the hon. Member as to there being no difference between "meeting" and "preventing." If, however, he would accept the word "apprehended," he should be willing to withdraw. Would he accept that?

Sir S. EVANS: Oh! yes; I made the offer and I will accept it.

Amendment, by leave, withdrawn.

Sir F. BANBURY moved to insert after "danger" the words "or apprehended danger."

Mr. GLADSTONE: Does the hon. Member want to put in the word "apprehended" before "danger"? (Cries of "No.")

Sir F. BANBURY said he was very anxious to be explicit, but the right hon. Gentleman did not understand him. He moved to put in the words "or apprehended danger," so that it would read "or for meeting any danger or apprehended danger."

Mr. SAMUEL ROBERTS seconded.

Amendment proposed—

"In page 2, line 3, after the word 'danger,' to insert the words 'or apprehended danger.'"—*(Sir F. Banbury.)*

Question proposed, "That those words be there inserted."

SIR S. EVANS: I do not think that is quite the offer I made, but I have no objection. I can only say that if further criticism is made elsewhere the language may be altered, but, however that may be, I accept the Amendment.

Amendment agreed to.

*MR. W. T. WILSON (Lancashire, Westhoughton) moved to omit the words "or for dealing with any emergency or work uncompleted through unforeseen circumstances which requires to be dealt with without interruption in order to avoid serious interference with the ordinary work of the mines or of any district of the mine." He said he moved the Amendment because the representatives of the miners believed that if these words were left in they would lead to unnecessary confusion in the working of the Bill. They believed they would lead to litigation and labour troubles and prevent the Bill working smoothly. For those reasons he begged to move that those words be struck out.

MR. HODGE (Lancashire, Gorton) formally seconded the Amendment.

Amendment proposed—

"In page 2, line 3, to leave out from the word 'danger' to end of line 7.'"—*(Mr. W. T. Wilson.)*

Question proposed, "That the words proposed to be left out, to the word 'through' in page 2, line 4, stand part of the Bill."

MR. GLADSTONE: The hon. Member has moved his Amendment in the fewest possible words and I shall endeavour to emulate his example and reply in the fewest possible words. This Amendment upon which a statutory issue was raised in Committee between myself and the hon. Member was duly dealt with. I refrain from going over the ground again. I can only say what I said then, that I cannot accept it.

MR. BOWLES said the right hon. Gentleman had said, with truth, that this Amendment raised an issue, and his answer to that issue was that he had already dealt with it upstairs. He would just like, in this instance, to point out that the issue raised was not only with regard to this Amendment, but was an issue between the hon. Member who moved it and the right hon. Gentleman.

MR. GLADSTONE: I have just said so.

MR. BOWLES said that these words were necessary for the purpose of dealing with emergencies or work uncompleted through unforeseen circumstances which required to be dealt with without interruption in order to avoid serious interference with ordinary work in the mine. Those were the words that the hon. Gentleman wanted to get rid of, and in support of his contention he said that if they allowed people to be below ground after eight hours under these circumstances they would shortly have labour troubles. That put the matter in a rather different light, because if it meant anything at all it meant that those who most desired the Bill desired to have the eight hours at all costs. Whether there was serious danger or not, whether serious emergencies were involved or not, in any circumstances, except those of absolute security of life and limb, everything was to go by the board to secure that there should be only eight hours labour. That appeared to him to be an untenable and an indefensible position, and he was not surprised that the hon. Gentleman who desired to assume that position made so short a speech.

Amendment negatived.

SIR PHILIP MAGNUS moved to omit the words "through unforeseen circumstances," and he had no doubt that the Government would accept that Amendment. He did not see how the Government could possibly define what "unforeseen circumstances" were. It must inevitably give rise to serious trouble if those words were left in. The position was sufficiently defined by the words which followed, which were "which require to be dealt with without interruption in order to avoid serious interference with ordinary work in the mine." Whether those circumstances were foreseen or not foreseen it was surely desirable that persons should remain down in the mine for the purposes of dealing with any emergency or work which had to be completed without interruption in order to prevent serious interference with ordinary work in the mine. He therefore begged to move.

MR. HICKS BEACH seconded the Amendment. He said he wished to make quite clear what would be the position in the development of the future. Coal cutters had been mentioned. If hon. Members would look at the Report of the Departmental Committee on page 60 they would find that it was proposed to mitigate the general decrease of production under the Bill by some improvement in the efficiency of labour, improvements in the mechanical equipment of collieries, an extension of the use of labour-saving machinery (coal cutting machines and conveyors), etc. Then if they looked at page 44, they would find the classes of people who ought to be exempt from a rigid time-limit, namely, minor officials (overmen, deputies, firemen, etc.), the miscellaneous class (including pump men, furnace men, horsekeepers, etc.) comprising less than 3 per cent. of the people underground; and persons employed in working mechanical coal-cutters and conveyors. With regard to these, the Committee said that a strict observance of a limited day would, in their opinion, greatly interfere with this method of mining. Then, on page 27, they said—

> ' There was a general consensus of opinion on the part of witnesses as to the inadvisability of enforcing a rigid time-limit to the hours of those engaged in working the coal cutters, as operating adversely to the economic application of the machines and tending to discourage their further use."

Then on page 88, they went on to describe the actual operation and use of these machines and said—

> " Occasionally there are breakdowns in the machines, or interruptions to the continuous cuttings from a variety of causes, such as obstacles inherent to the seam itself—the floor and so forth, so that it may occasionally happen that by the end of the cutting shift the machine has not accomplished its cutting journey."

That was the important point, that it sometimes happened that for some reason the machine did not get to the end of its journey. There was evidence given in the Committee by witnesses who admitted that these machines were not yet perfect; that though some had been in use for many years the makers themselves admitted that they were by no means perfect. They were liable to breakdowns and although the breakdown might be very small the men and the machinery would be stopped for a long period, perhaps hours. The whole thing would be out of work and would thus destroy the chances of the succeeding shift of men getting to work. He mentioned that to draw attention to the fact that the Home Secretary and the President of the Board of Trade on the Second Reading held out hopes to the House that any decrease in the production of coal by reason of the introduction of the Bill would be considerably diminished by the increase of coal cutters. This was a point which the Bill could not make quite clear. If a man was engaged on a coal cutter when it broke down, it might be necessary for him to remain in the mine more than eight hours; but he would then be transgressing the law of the country and both he and the manager would be subject to very serious penalties. It was because they wanted this point cleared up that this Amendment was moved.

Amendment proposed—

" In page 2, line 4, to leave out the words ' through unforeseen circumstances.' " — (*Sir Philip Magnus.*)

Question proposed, " That the words proposed to be left out stand part of the Bill."

SIR SAMUEL EVANS: I quite understand the desires of the hon. Members who moved and seconded this Amendment. I do not think there is much difference between us as to what ought to be the meaning of the section. I think most people will agree that there ought to be no loophole which could assist any evasion of the Act, and these words were put in in the Committee in order that it might be clear that there should be no evasion of the Act, and that if there was no evasion of the Act and no unforeseen circumstances no person should be down the mine more than eight hours. I think the circumstances alluded to by the hon. Member for Tewkesbury would be clearly unforeseen circumstances, and as they could not be foreseen these exemptions would come into operation. We cannot accept the

Amendment to omit these words, and in order to enforce what I have just said I may be allowed to point out that the words "unforeseen circumstances" were inserted upstairs in Committee, and that among the Members who voted in favour of their insertion was the hon. Member for the London University, the junior Member for the City of London, and the hon. Member for Sleaford.

MR. BONAR LAW: I think the hon. and learned Gentleman is right in saying that there is a provision in the Bill which deals with that matter. But assuming that the hon. and learned Gentleman is right we have to consider what the particular effect of these words is. The real point is whether or not circumstances under which they ought to allow the work to continue a little longer would come under the category of "unforeseen circumstances." Take the case that has been mentioned of a breakdown of a machine. I am told that these machines are so imperfect at present that you might foresee a breakdown at any time, but on the other hand where is the danger in leaving the words out? I do not see any danger. The words are "or work uncompleted which requires to be dealt with without interruption in order to avoid serious interference with ordinary work in the mine." Surely that is enough. It is of the utmost importance that coal cutting machines and appliances of this kind should be introduced into the mines. There is some suspicion that hon. Gentlemen who represent the miners do not wish to see this kind of work increase in the mines. The fact that they object to leaving out these words is in itself sufficient ground to give some colour to that suspicion. This Amendment is justified apart altogether from whether the circumstances could be foreseen or not. A case of this kind might arise: the coal which a machine was cutting might be a little harder than usual, and it might only want another quarter of an hour to complete the whole day's work, yet it all has to be stopped because of this rigid rule. This is, in my opinion, a very important Amendment, and before we decide upon it we wish to be clearly shown that the Government are not going to discourage the extension of coal cutting machinery.

*MR. HERBERT SAMUEL: What would be the effect of these words being left out? The effect would be that no offence would be committed if a man remained down the mine for nine, ten, or twelve hours. Supposing the manager of a mine was anxious to fulfil a contract and he wanted to keep the men down nine or ten hours of the day it would be easy for him to do so.

MR. BONAR LAW: Unless I am mistaken, the words are: "in order to avoid serious interference with ordinary work of the mine." Therefore the state of things contemplated by the right hon. Gentlemen could not arise.

*MR. HERBERT SAMUEL: That is not my point. The purpose of this Bill is to establish an eight hours day, and if you say men may be below ground in order to complete uncompleted work, whether due to unforeseen circumstances or not—if you are to permit that, then you need not have any Bill at all. These words in the Bill do deal with the question of machinery, and there is no doubt whatever that if the machinery broke down and the work was uncompleted in consequence, the case would be covered by these words. The words as they stand seem to me to meet all the legitimate desires of hon. Members, and if they were omitted they would make the exemption so wide that it would not be worth while to have any Bill at all.

MR. BOWLES said the argument put forward by the right hon. Gentleman certainly showed that this was a very important matter, and that these words "unforeseen circumstances" were intended to apply to the machinery. The position, as he understood it was, that the Government desired in the ordinary limits of this Bill that work should be so carried on that the ordinary work of every man should be exempt from serious interference; that in future, day by day, the ordinary output, the ordinary product of a mine, should not be subject to any interference. That was what the Government and the House desired. But it seemed to him that if they limited the hours of labour at each end and did not make some provision of this sort, they might cause the gravest injustice between one mine and another. If the object of the Government was, as it certainly was, to avoid an evasion of the Act, why was it they were afraid of these words being omitted? Let them take the case of the coal-cutter which broke down. Supposing it broke down from circumstances which could not be foreseen, it would be covered by this section; but if it broke down through want of attention then the exemption would not apply, and the men would have to come out of the mine leaving it in an unworkable condition. Every time the coal-cutter broke down—it was working in the dark—they would have to decide at once whether that breakdown was due to what the Solicitor-General and a Court of law would call "unforeseen circumstances," or whether it was due to neglect. It seemed to him it was really providing difficulties for themselves to put into an Act of Parliament words so doubtful, the meaning of which the House desired to be that the work should be protected from serious interference. If that was their desire, as he was sure it was, let the Government say so in the Bill, and not deal with the matter by any such doubtful phrase as "unforeseen circumstances." In view of the grave doubt which still existed he hoped that the Government would see their way to reconsider the matter.

SIR F. BANBURY said the right hon. Gentleman had stated that in the Committee his hon. friend the Member for London University and himself voted for the inclusion of these words. That was one of those statements which was half a truth only. When the Bill came before the Committee it contained in the phrase dealing with this matter the word "exceptional." In the Committee the word "exceptional" was left out and the words "uncompleted through unforeseen circumstances" were put in. Those words were, in their opinion, certainly better than the word "exceptional," and although they did not approve of those words, as they were better than "exceptional" they took them. Then he believed his hon. friend moved to put in the words "or breakdown of machinery." They said that if the hon. and learned Gentleman would agree to put in "or breakdown of machinery" they were willing to accept "unforeseen circumstances," but if he did not they must vote against those words. It would be almost impossible for the coal-cutting machine to delay the work unless something broke down. The coal-cutter worked along the face of the seam, and then there was a conveyor which took the coal away. As the coal cutter came along the coal was cut and dropped into the conveyor, and if the cutter got out of hand or broke down the work of the shift might be stopped for the whole day. What they were afraid of was that if "or breakdown of machinery" was not put in discussions might arise as to whether the breakdown was unforeseen. The hon. and learned Gentleman rode in a motor car; he had seen him in one; but would he venture to suggest that when he entered into that motor car and it shortly afterwards broke down, that he would call that breakdown an "unforeseen circumstance?" He knew perfectly well it was only what he might expect.

SIR S. EVANS: If I was seen in a motor car, it belonged to someone else. I have not got one.

SIR F. BANBURY: I can only say I am glad the hon. Member possesses such generous friends. I have seen him in it. It could not be denied that when they came to deal with machinery a breakdown was not an unforeseen circumstance. It was for those reasons that they wished these words left out, but they would be prepared to accept their inclusion provided a breakdown in machinery was dealt with later on in the Bill.

*MR. PONSONBY (Stirling Burghs) said he had not the privilege of being in the Committee, and the reminiscences from upstairs so continually occurred that really he felt that it would be a considerable advantage to them if the objectionable word "upstairs" could be omitted from the Report stage altogether. He had special representations made to him about this particular part of the clause from the miners in his constituency, and he certainly would have supported the hon. Member opposite in the previous Amendment. He had heard no argument against it, because the right hon. Gentleman who was in charge of the Bill merely said that upstairs this point had been disposed of. The debate as it continued showed how much confusion there was in the wording of the last few lines of this clause, and the particular point they were on now in itself showed how loosely the interpretation of these lines might be taken, and what confusion might come from these last four lines. He himself would have been quite ready to have accepted the words up to "emergency," and to have omitted from "emergency" to the end of the subsection. He thought nearly all the cases which had been brought forward by the last few speakers came under the denomination of "emergency" and were met by that word, but if these four lines had to stay in, which he understood was the case, then, in his opinion, the words "through unforeseen circumstances" must absolutely remain in the clause. He appealed to the right hon. Gentlemen in charge of the Bill, whenever it was possible, to give some sort of explanation for the benefit of those who had not been upstairs.

*Mr. G. D. FABER (York) said he rose to deal with an observation made by the right hon. Gentleman the Under-Secretary for the Home Office. He was not in Committee on the day when this particular discussion took place. The right hon. Gentleman said a few moments ago that great importance was attached by the Government to these words "through unforeseen circumstances." The Bill as originally introduced, and as it was before the House on the Second Reading, did not contain those words at all, and, therefore, the Government made the discovery later that these words were so important. The Government had plenty of time to study the whole question before the Bill was introduced, yet this particular contingency was not provided for when the Bill was introduced. Who was to decide whether the circumstance was foreseen or unforeseen? Perhaps, suddenly, and half in the dark, a coal-cutter went wrong, the eight hours were over, and the men ought to be going up the shaft in order to comply with the terms of the Act of Parliament; who was to decide whether this was an unforeseen circumstance or not? It had to be decided there and then; they could not take it into the County Court. There was the object lesson in front of them. The coal-cutter had gone wrong, and somebody had got to decide on the spur of the moment what was to be done. Suppose the manager of the mine was called in to give his judgment upon it, and he said it was an unforeseen circumstance. The work went on. Perhaps later on it came to the ears of the inspector of the mine that this particular work was continued after the eight hours were over. How was that official to decide whether the circumstance was foreseen or unforeseen? He was trying to put himself into the position of the miner at work. [An Hon. Member: Impossible.] Well, he would remind the hon. Member that hardly anything was impossible, although he might be justified in saying it was improbable. He would imagine the miner at work, that the eight hours were over, that something happened, and that he had got to decide whether the instance he had taken was an unforeseen circumstance or not. The Solicitor-General himself could not tell them, and, therefore, how on earth was this poor miner to tell? It shewed the absurdity of putting this sort of legal expression, throwing it in anyhow, into an Act of Parliament. When they came to deal with it in fact and in deed it was impracticable. Besides, what did it matter whether the circumstance was foreseen or unforeseen? It was for everybody's good, he supposed, that an obstacle causing a stoppage of work should be removed, and that the men should be able to go to their ordinary shifts the next day and perform their ordinary eight hours work. He could not see that it would lead to any evasion of the law. The point was whether serious interference with ordinary work in the mine would result from allowing the obstacle to remain. It seemed to him that this was the cast-iron, rigid system gone mad. From no point of view would hon. Members below the gangway allow any infraction to be made of the sacred eight hours day, which had become a fetish with them. He knew the Government were tied on to the tails of hon. Members below the gangway. It might be said, however, that there were no tails below the gangway, and that they were all heads, but in that case he wished, even at this late hour, the Government would exercise their own heads and give way in a case like this, where common sense dictated that the concession asked for should be made.

MR. MARKHAM said he did not think the mover of the Amendment knew what the actual operation would be in practice, or he would not have moved it. What actually happened in many cases was that there was a fall of roof which stopped the machine. If these words were deleted and a breakdown took place, every time there was a fall of roof and the machine could not cut fast enough, the men would not be entitled to stop behind and get the coal out. So the hon. Baronet would be defeating his own object. The words of the Amendment were to leave out the words "through unforeseen circumstances." He did not think a fall of roof could be described as an emergency. He thought in coal cutting a fall of roof was almost as frequent as an accident to the machinery. With regard to what the hon. Member for York said as to the poor miner not being able to understand what unforeseen circumstances meant, miners were not the kind of poor fools that the hon. Member gave them credit for being.

MR. LAURENCE HARDY said the whole difficulty, it seemed to him arose from the decision of the Government not to put coal cutters among the class excluded from the Bill in accordance with the recommendation of their own Committee, on p. 44, where it was stated that they were very few in number and that the strict observance of a limited day in their case would greatly interfere with this portion of mining. They had to recollect that there was a paragraph earlier in which the Committee said—

> "The introduction of machines of this sort has not been forced without considerable difficulty and opposition on the part of the men."

And he thought that was the reason why they had not been able to get a clear issue in this matter. As they had chosen in this roundabout way to enable coal cutters to be within the scope of the Bill, he thought a reference to p. 27 of the Report was interesting, where it described the conditions under which coal cutters were used. They said it was conditioned by seven different reasons, of which the human factor was only one, and he thought the speech of the hon. Gentleman who spoke last showed how difficult it was to know what was an unforeseen circumstance or not. He said a fall of roof might or might not be an unforeseen circumstance, and they could go through each of the things mentioned in the Report in the same way. The cutter might be obstructed by the character of the roof, the thinness of the seam, the nature of the coal, the character of the floor of the seam, or geological circumstances, and last of all by the human factor, and the unfortunate people were left in the pit to decide which of these reasons applied to the case.

VISCOUNT CASTLEREAGH asked whether in the opinion of the Solicitor-General a fall of roof was an unforeseen circumstance.

SIR S. EVANS: Yes, clearly.

MR. RENWICK said they had heard a good deal with regard to coal-cutting machines, but it seemed to be forgotten that that was not the only machine in a coal mine. Various other classes of machinery were affected, and unless these accidents were repaired the whole mine was laid up. If these words were left in it would have the extraordinary effect that they would find the manager calling in the officials of the mine, looking at the accident that had happened, and discussing the question as to whether it was unforeseen before they dared touch it. That was an absurdity. Surely the experts and the certificated managers were able to say that if there was an accident it must be repaired with the least possible delay. While they were discussing these questions which lawyers might take hours to settle, the whole mine was kept idle, and the miners suffered. He appealed to the right hon. Gentleman in charge of the Bill to leave out these words. Let him make them as simple as he possibly could, and trust to the managers and to those in charge of the mine to carry out the terms of the Act.

Sir **PHILIP MAGNUS** said he scarcely thought the Solicitor-General acted quite fairly by him in complaining that he voted for this Amendment in Committee whilst he voted against it now. He did not state that he voted for these words in Committee in preference to the words already in the Bill, viz., "exceptional work." They found it impossible to understand what the framers of the Bill meant by the word "exceptional." Since then he had had a fortnight to reconsider the question, and he need scarcely say that he had devoted considerable time to these particular words, and he had come to the conclusion that it was far better to omit them. An hon. Gentleman opposite said that the miners were so intelligent that they would be able to understand at once what unforeseen circumstances were. Might he ask the learned Solicitor-General if he could explain them?

Question put.

The House divided:—Ayes, 252; Noes, 53. (Division List No. 448.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Beale, W. P.
Beauchamp, E.
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo)
Bethell, T. R. (Essex, Maldon)
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Cleland, J. W.
Clough, William
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gulland, John W.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kettle, Thomas Michael
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lardner, James Carrige Rushe
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lundon, W.
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil

Marnham, F. J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John (Kerry, East)
Murray, Capt. Hn. A C. (Kincard)
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Paulton, James Mellor
Philipps, Col. Ivor (S'thampton)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Redmond, John E. (Waterford)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Sheehy, David
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Staveley-Hill, Henry (Staff'sh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr)
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent)
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Watt, Henry A.
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn Sir Thomas P.
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, John (Durham, Mid)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt. Hn Sir Alex. F.
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Beck, A. Cecil
Beckett, Hon. Gervase
Bellairs, Carlyon
Bowles, G. Stewart
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cory, Sir Clifford John
Cross, Alexander
Davies, David (Montgomery Co)
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Guinness, Hn. R. (Haggerston)
Hardy, Laurence (Kent, Ashford
Hill, Sir Clement
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Long, Col. Charles W. (Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
McaCaw, William J. MacGeagh
M'Arthur, Charles
Mason, James F. (Windsor)
Morrison-Bell, Captain
Pease, Herbert Pike (Darlington)
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Renwick, George
Ridsdale, E. A.
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Sassoon, Sir Edward Albert
Stanier, Beville
Thornton, Percy M.
Valentia, Viscount
Wolff, Gustav Wilhelm
Younger, George

TELLERS FOR THE NOES—Sir Philip Magnus and Mr. Hicks Beach.

MR. BOWLES moved to substitute the word "substantial" for the word "serious" in the concluding passage of the same subsection. The House would see that the clause as it stood required that any exemption under it should be an exemption of those dealing with work which had to be dealt with in order to avoid serious interference with ordinary work in the mine. Serious interference was, after all, a very vague phrase, and it appeared to him that it was essential that they should not leave occasions for doubt and litigation hereafter where they could possibly avoid doing so. The object of the clause as it stood was to ensure that so far as possible the ordinary work of the mine should go on without interference. For his part, he did not know why the Government could not say in the clause "work which requires to be dealt with in order to avoid interference." If what they wanted was to preserve only ordinary work in the mine, let them say so. What was the use of putting in the word "serious" before interference? But if they insisted on qualifying the interference, then he suggested that the word "substantial" was a better word than "serious," as being a little more limited in extent, and a little more definite in character. He hoped the Government would take the same view. He begged to move.

VISCOUNT CASTLEREAGH seconded the Amendment of his hon. friend. He could not say that he attached very much importance to it, but he thought of the two words "substantial" was substantially the better and was likely to be open to less doubt than the word "serious." He knew the Solicitor-General would say that "serious" was in other Acts of Parliament, but all the same the word was open to a great deal of misinterpretation. He thought the Act would be benefited by the word "serious" being left out altogether, and that it should simply read "in order to avoid interference." Then there would be no difficulty as to specifying what serious interference meant.

Amendment proposed—

"In page 2, line 6, to leave out the word 'serious,' and insert the word 'substantial.'"—(*Mr. Bowles.*)

Question proposed, "That the word 'serious' stand part of the Bill."

SIR S. EVANS: If I could accept the word proposed I would, but after having given it careful consideration, and having regard to the fact that we have the word "serious" in labour legislation of this kind in other Acts of Parliament, we have come to the conclusion that "serious" is a better word than "substantial."

SIR F. BANBURY said in Grand Committee they were unfortunately deprived of the assistance of the Law Officers of the Crown.

MR. GLADSTONE: Oh, no; far from that being the case, the Solicitor-General for Scotland was present.

SIR F. BANBURY said he was not there regularly. The point he made in Grand Committee was a legal one. He adduced evidence to show that he was correct in saying that under the Workmen's Compensation Act Judges, County Court Judges and legal luminaries had been unable to put an interpretation on the word "serious" and in consequence that part of the Act had almost become a dead letter. He might be quite wrong, but that was what had influenced him in moving to leave out the word "serious." Certainly the evidence before the Departmental Committee went to show that he was correct in his assertion that at any rate there was a difference among the Judges, in view of their decisions, as to what the word "serious" meant. No two Judges agreed on the point. That being so, he asked the hon. and learned Gentleman what objection there was to leaving out the word "serious." "To avoid interference with the ordinary work of the mine," was plain English, and they did not want in this Bill, which everybody admitted was going to be an extremely complicated one, to complicate it more than necessary by putting in words which might lead to legal proceedings, and would not tend to the harmonious working of the Bill.

MR. HICKS BEACH asked whether it was not a fact that, under the Workmen's Compensation Act a year or so ago, there was very great difficulty indeed in deciding what "serious" meant, and that various employers took one view and other employers took another. Was it not also a fact that the difference became so great that only last year the Government introduced a new Bill in which they laid down what was a "serious accident." Did not that go to prove that the word "serious" was a very difficult word to construe, and that therefore it would be much better in the interests of everybody concerned if in this Bill they were to take out altogether, as his hon. friend suggested, the word "serious." If that were done the Bill would really be much better carried out, SIR S. EVANS: We cannot omit the word "serious" because any interference, however slight, would be "an interference with the ordinary work of the mine." With regard to the observations of the hon. Baronet the Member for the City of London, it is quite true that there has been a difficulty among Judges upon all kinds of facts, as to whether misconduct under the Workmen's Compensation Act was serious and wilful misconduct or not. That difficulty, of course, will always arise when an adjective is used in regard to any accident. But we must have the word "serious" in the Bill; otherwise interference, however slight, might be said to raise the right of exemption. The hon. Member opposite is right in saying that a Bill was brought in last year, but, if I remember aright, there was another definition given in that Bill, and I think the seriousness of an accident was to be determined by the number of days during which the person who sustained the accident suffered from it. I think that is a good reason why the word "serious" should be put in here in preference to "substantial."

MR. BOWLES did not think he would put the House to the trouble of a division. The hon. and learned Gentleman had said, no doubt with truth, that he must stick to the word "serious," because if it were taken out it would enable any interference, however small, with the "ordinary work of the mine" to give the right of exemption. The effect of that would be one of the extraordinary practical effects of this Bill in operation. In the last half-hour, towards the close of the eight hours day, delay might be caused, and if an interference had been taking place, whether large or small, it would have to be considered by the managers of the colliery then and there, and they would have to see whether or not within the meaning of the Act it was a serious interference with the work of the colliery. If the manager was put face to face with the necessity of arriving at a decision, and he failed in his judgment, then he would be liable under the Bill to serious and heavy penalties, together with the men involved in his fault. That was an extraordinary state of things which the Government were apparently not ready to remove. They, at any rate, had made their protest, and it could not be helped. He asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

SIR PHILIP MAGNUS moved to substitute the word "part" for the word "district," with a view of ascertaining whether the Government had given "serious" "substantial" consideration to the last few words of the subsection. Was it not on the whole preferable to substitute the word "part" for "district"? In the Bill as it came before the Committee the words "or in any district of the mine" were not included in the clause, and he thought it was on the Motion of the Home Secretary that words to that effect were put in the Bill. When the right hon. Gentleman suggested these words he first proposed that the words should be "or in any part of the mine," and subsequently he accepted the word "district." He thought the word district was a technical term, and meant a particular section of the mine. He might be wrong, but he was ready to be corrected if he was. He was sure it was the intention of the Government that the exemption should apply in the event of the danger occurring in any particular section of the mine, or in any part of the mine as well. Therefore, he asked the Government whether on further consideration they would not prefer the word originally used by the Home Secretary, namely, "part" instead of "district."

MR. G. D. FABER seconded the Amendment.

Amendment proposed—

"In page 2, line 7, to leave out the word 'district,' and insert the word 'part.'"—(*Sir Philip Magnus.*)

Question proposed, "That the word 'district' stand part of the Bill."

MR. GLADSTONE: The hon. Member said I made this arrangement. It was not I but my right hon. friend the Under-Secretary who suggested the words "in any part of the mine." In the discussion which took place it was pointed out that it might mean any spot in the mine, and it was thought that such a phrase would not be right. Therefore the Committee came to the conclusion to put in the words "in any district of the mine." There was a division on that, and the words were supported by the hon. Gentleman himself.

SIR PHILIP MAGNUS: No.

MR. GLADSTONE: The hon. Gentleman himself voted for the word which he now proposes to omit.

SIR PHILIP MAGNUS: I do not propose to omit the word, I propose to substitute "part."

MR. GLADSTONE: The hon. Member voted for these words "or in any district of the mine" as they are now proposed.

SIR PHILIP MAGNUS: I only propose to substitute "part" for "district."

MR. GLADSTONE: That is the whole point. The omission of the word "part" was moved in Committee, and a division was taken on the question of the word "district," "that that word be there inserted," and the hon. Gentleman voted in support of that proposition.

SIR PHILIP MAGNUS: I did not vote on the question whether it was to be "district" or "part."

MR. GLADSTONE: The question whether the word "part" should "stand part" was negatived. ["It was withdrawn."] It did not matter whether it was negatived or withdrawn, and then the Question was put "or in any district of the mine," and I suppose I am right in saying that the hon. Member did in fact vote for that. I would submit to the House that the word "district" is an understood term, and that the word "part" is not. Therefore, I hope the hon. Gentleman will not press his Amendment.

MR. LUPTON said that the wording of the subsection was one of the few concessions they got from the Government in Committee, and, therefore, he appealed to hon. Members opposite not to press this particular Amendment.

SIR PHILIP MAGNUS asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. GLADSTONE: I have now to move an Amendment to add to the end of the subsection that in the case of stallmen there should be exemption when engaged in the process of taking down top coal in square or wide work in the thick coal of the South Staffordshire district so long as their presence in or near the stall is necessary to ensure safety. I am under the impression that there is a general agreement with regard to this Amendment. It was one on which there was some discussion, in which my hon. friend the Member for North-West Staffordshire took part. I need not go into the merits of the question.

Amendment proposed—

"In page 2, line 7, at end to insert the words 'or in the case of stallmen when engaged in the process of taking down top coal in square or wide work in the thick coal of the South Staffordshire district, so long as their presence in or near the stall is necessary to ensure safety.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."

*MR. ALBERT STANLEY (Staffordshire, N.W.) said that if the right hon. Gentleman thought it necessary to introduce any further exemptions than were contained in subsection (*b*), then he realised that the words now proposed were far better than the words put before the Committee when this matter was under consideration. The first suggestion included a chief stallman, and gave him exemption. His objection was that every stallman should be responsible for the safety of the stall, and that if they singled out one man and made him specially responsible they would lighten in proportion the responsibility of other men who would feel that it was work for which they were not altogether responsible, and they would not be so alert mutually to keep the stall in safety. He thought, however, that this objection was very largely met by the words here used. He thought the subsection did cover it for all practical purposes, but it being a question of safety, and inasmuch as it was strictly confined to stallmen, and at the time when the stallmen were taking down top coal in square or wide work, and they were only to be there when it was necessary to ensure safety, under those circumstances he saw no objection to accepting the Amendment.

*MR. PARKES (Birmingham, Central) said this Amendment was defeated by one vote in Committee, and he supposed now it was reintroduced in another form the hon. Member for North-West Staffordshire would vote for its acceptance. Although it was rather a technical question, and he dared say not understood by all Members, yet it was a very important one, and he was very glad the right hon. Gentleman had seen fit to reintroduce the Amendment in another form. He personally thanked the Home Secretary for having gone into this matter, and he was certain that South Staffordshire would be very gratified at the course he had taken.

MR. BOWLES said that as a non-expert he thought he was entitled to understand what had been settled. The right hon. Gentleman dealt with this point in Committee by moving to insert words which covered the chief stallman, and the words had reference to the working of mines in the South Staffordshire district. The right hon. Gentleman now proposes to add different words. He would like to know what the difference was.

MR. GLADSTONE said that there was in fact, in these mines, a chief stallman, but on examining closely into the matter he found that the general practice in this district was to place three or four stallmen to do the work, and that there was substantially no recognised chief stallman. That was the difference.

Amendment agreed to.

*SIR C. J. CORY (Cornwall, St. Ives), said the right hon. Gentleman had been good enough to agree to a workman being below ground for the purpose of meeting any danger or apprehended danger but they did not apply to maintaining the safety of the mine and of the men underground. His right hon. friend, when he received a deputation of the Miners' Association, on that occasion said—

> "Of course, we all agree that one of the first considerations is the security of those who work in and about the mines. It would be indeed disastrous if by hurrying work or interfering with anything necessary to the safety of the man, that the ratio of accident should be increased through failure of legislation."

In regard to the Amendment which he now moved, namely—to insert the words "or for the purpose of maintaining the safety of the mine or any part thereof or of any person or persons employed therein"—he really thought his right hon. friend's own words were justification for its acceptance. It was necessary, he would urge, to obviate danger by maintaining the safety of the mines and by doing, say, extra timbering or some such work before an accident actually occurred.

MR. RENWICK, in seconding the Amendment, said it was very necessary that the proposed words should be inserted. The object they had in view was to make the Bill as clear as possible, not to the legal mind, but to the lay mind. In the discussions in connection with the Bill, whenever they had raised a question with regard to the meaning of certain words which they did not understand, an eminent lawyer was put up to answer them. He might understand it, but they did not. They wanted words in the Bill that the ordinary lay mind could understand. Therefore he thought there was the utmost necessity that these words should be added to the clause. They were under the greatest difficulty in discussing the Bill, because they had not had what they ought to have, namely, the assistance of experts representing the mining constituencies. They were left to themselves to argue these points. Why hon. Members below the gangway were silent he could not tell. The object of a mine was for the purpose of getting coal out of it, and therefore, those in charge of the mines ought to know distinctly and without any equivocation how they could set to work to remove any danger to those engaged in the mines. It was because they wanted to make the Bill perfectly clear to those in charge of the mines that they desired to insert these words. If there were any objections to them he trusted that they would hear those objections, not only from eminent legal gentlemen, for whom he had great respect, but also from the right hon. Gentleman in charge of the Bill. Further, he should like to hear some objections to-day, not only in the lobby, for undoubtedly certain members below the gangway would vote against this, but objections raised by hon. Gentlemen below the gangway, who should tell them what their objections were. That was all they wanted in discussing this question, and he thought it was an injustice to the House in a technical measure of this description that hon. Members below the gangway should not give them their assistance.

Amendment proposed—

"In page 2, line 7, at the end to insert the words 'or for the purpose of maintaining the safety of the mine or any part thereof, or of any person or persons employed therein.'"—(*Sir C. J. Cory.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS: It is quite true that I answer legal questions, but it is also true that on occasions I can speak with some knowledge on mining matters. I have had great experience in mining cases. As I have told the House before, I have constantly been underground investigating the state of affairs where there have been individual accidents or great explosions. I am going to answer my hon. friend behind me, not as a lawyer, but as one who understands these matters. First of all, in legislation of a legal kind it is a very dangerous thing to put in words that limit the meaning in an Act of Parliament, where you have words of either a less limited meaning or a more extended meaning in the section. If you have words of an extended meaning you run great danger of minimising the intention of those words by afterwards putting in words as to a particular question which ought to be in the bigger category and within the extended words. With that preliminary observation I want to call attention to the words "or for meeting any danger." It is quite clear that if a workman is kept down the mine for the purpose of preserving the safety of the mine in the event of danger or apprehended danger, the case is covered by the words already in the clause. There might be great mischief attending the acceptance of the words of my hon. friend. Let me tell him of one case. Obviously timbering would be work which would be carried out for the purpose of maintaining the safety of the mine. That being so, the Amendment of my hon. friend would convert the Bill into something very different from the Eight Hours Bill. It would mean that a man would say: "I can work at my coal up to the end of the eight-hours period which I am to be underground, but I will leave the timbering until the end. Timbering is necessary for the safety of the mine or any part thereof, and I can ride a coach and four through the Act of Parliament and say I am doing that work." The same thing could be said with regard to the other part of the Amendment. Of course, it is obvious that to include words of this kind "any part thereof" would make the provision of the Act of Parliament void and of no effect. My answer, therefore, to my hon. friend is that for all purposes of emergency and providing for the safety of the mine, in that sense you are fully empowered by the words already in the clause. If you go beyond those words you are running a risk, as I have said, of minimising the words of extended meaning, and you are also making a loophole in the provision of the Act of Parliament that would enable anything to be done underground after the eight-hours day. I have mentioned timbering, but there are other things done underground. Indeed practically most of the work done underground, such as watering the roads, is work carried on for the safety of the mine. Obviously work of that kind could not be embarked upon after the eight hours; if it could be the Act of Parliament would be a dead letter.

Amendment negatived.

Mr. BOWLES in moving to leave out of subsection (4) the word "approved," and to insert the words "not disapproved" said this Amendment was a small one in point of volume, but he thought it was important and serious in point of substance. The House would see that the whole working of the Act would hinge upon four points of time in the ordinary working of the mine. The first point of time was the period between the times at which the first workman in the shift left the surface and the first workman in the shift returned to the surface, and the period between the times at which the last workman in the shift left the surface and the last workman in the shift returned to the surface. Subsection (4) provided that—

> "The interval between the times fixed for the commencement and for the completion of the lowering and raising of each shift of workmen to and from the mine shall be such time as may, for the time being, be approved by the inspector as the time reasonably required for the purpose."

The effect of that as he understood it was that they would not work the mine at all after this Bill came into force, until they had had those points of time set up according to the regulations, and approved by the inspector of mines. There would be the further consequence that if the clause remained as at present, then, as he understood it, it would be perfectly impossible in cases where they might consider it desirable to extend the time for winding the men either in or out of the mine, or where it might be for the purpose of safety or otherwise desirable to do so, unless before they did it they got the express approval of the nearest inspector of mines. That imposed an altogether unnecessary obstacle in the way of the little elasticity which was left to the manager of the mine. He could quite understand Parliament might desire when any change was made in the interval between these times that the inspector should be informed, and if he came to the conclusion that the alteration which had been made was for any reason an improper one, he should be able to disapprove of it. But to say that when that time was once fixed it was never under any circumstances to be altered without first obtaining the approval of the mines inspector was really to make an unnecessary provision which might result in grave inconvenience and cause disorganisation of the ordinary working of the mine. What he proposed was that the time should be such as the inspector did not disapprove of, and he should be perfectly ready to agree if the House thought it necessary, to insist upon such a condition as that any alteration of time should at once be communicated to the inspector. All he said was that liberty ought to be left to the management to alter these times in circumstances where it was desirable on communicating the fact at once to the inspector and without waiting for his formal official approval. He thought the Amendment was a reasonable one, and by accepting it the Government would make the Act, if not more workable, at least less unworkable than it promised to be at present.

Mr. HICKS BEACH seconded. He regarded this as a very reasonable Amendment and one that would conduce to the smooth working of the Act. He understood that this was the only instance in which an inspector had to give his sanction to any action in the mine before the regulation was carried out. As he understood, all other regulations under the Coal Mines Regulation Act were first of all laid down by the controller of the mine, and then submitted by him to the inspector of mines. If the latter had any objection to raise he communicated it to the mine manager. He did not understand why this particular Bill should introduce a novelty in the place of an arrangement which was stated to work most satisfactorily, and which, surely, was much simpler than what the Government proposed. There could be no danger whatever in accepting the Amendment. The manager of a mine would not be a fool and lay down regulations which could not be accepted. If an inspector had to give his official sanction to the time before the mine could be worked a serious amount of inconvenience might be caused. Should the inspector be by chance called away from his office, or be taken ill, or be absent from any other cause the result might be to delay the whole working of the mine for a day.

Amendment proposed—

"In page 2, line 22, to leave out the word 'approved,' and insert the words 'not disapproved.'"—(*Mr. Bowles.*)

Question proposed, "That the word "approved" stand part of the Bill."

SIR S. EVANS: I am afraid it is impossible for the Government to accept this Amendment. First of all, I think it is essential that the times to regulate the working of the machinery of the shafts, the winding up and winding down, should be fixed by the inspector. There is, I would point out, a considerable interval of time between now and the date when the Act will come into operation, and I am not conscious that there will be any difficulty at all in these times being fixed. Therefore "approved" is in my opinion, much the better word with reference to the first fixing of these times. I think it must be so for another reason. If you say the management can fix such times as they like until disapproved of then nothing need be done by them, and there would be no check at all by the inspector for a considerable time. I think that is a good answer to this Amendment so far as the first fixing of the time is concerned. With regard to the alteration of the time, I think there is some reason in the argument of the hon. Gentleman, but as it would involve a good deal of amendment in this clause, which we cannot now properly go into, I hope the hon. Member will accept an assurance from me that the matter will be carefully considered when the Bill goes to another place.

*MR. LUPTON was much obliged to the Solicitor-General for making a slight concession on this point. The Amendment moved by the hon. Member for Norwood was a most important one, and was exactly similar to one he moved himself in Committee. The Chairman, however, ruled that his Amendment was frivolous, and would not allow it to be put. Mr. Speaker, he was glad to say, took a different view. It was most important that the working of the mine should not be delayed. Already the Government inspectors were at work from early in the morning until late at night. The conditions in the mines were continually altering. A mine which to-day had fifty men employed might, by the time the Act came into operation, have 500 men at work, and the times, therefore, would be materially affected. If the time could not be fixed without the approval of the inspector great delay might be caused or, on the other hand the Act might be disregarded, because it would be well known that in such circumstances no Court would inflict a penalty.

MR. BOWLES, in view of the sympathetic references and assurances of the Solicitor-General, asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. GLADSTONE: I now beg to move an Amendment to carry out a promise I gave in Committee. Possibly some unforeseen circumstance might happen involving to some extent the winding machinery and this might make it dangerous to lower the men at the usual rate of speed. The Amendment, which deals with this point, is to insert a new proviso at the end of subsection (4).

Amendment proposed—

"In page 2, line 23, at the end to insert, 'Provided that in the event of any accident to the winding machinery, or other accident interfering with the lowering or raising of workmen the interval may temporarily be extended to such extent as may be necessary, but in any such case the owner, agent, or manager of the mine shall on the same day send notice of the extension and the cause thereof to the inspector, and the extension shall not continue beyond such date as may be allowed by the inspector.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Drafting Amendment made.

SIR F. BANBURY moved to insert the following new subsection: "(6) The owner, agent, or manager shall supply a printed statement of the regulations referred to in Section 1, subsections (3), (4), and (5), gratis to each workman who applies for a copy at the office at which such workman employed by the owner, agent, or manager is paid." He understood the Home Secretary had given notice of an Amendment, to come in later which was practically the same as his. He gave an undertaking to the Home Secretary that he would not move his Amendment, but since he saw the right hon. Gentleman an hon. friend had put a similar Amendment down and he was told that there was some advantage in inserting the Amendment in the place proposed instead of later in the Bill as the right hon. Gentleman suggested. Therefore he moved the Amendment formally in order to give the Home Secretary an opportunity of saying what his opinion on the subject was.

Amendment proposed—

"In page 2, line 29, at the end, to insert the words: '(6) The owner, agent, or manager shall supply a printed statement of the regulations referred to in section one, subsections three, four, and five, gratis to each workman who applies for a copy at the office at which such workman employed by the owner, agent, or manager is paid.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there added."

Mr. LAURENCE HARDY was very much obliged to the Government for having incorporated this Amendment in another clause in the same words. His only anxiety in reference to it was as to its position, and he still thought it would be better for it to come in at this place, in which he understood Mr. Speaker ruled it might be introduced. The point he wished to make was that if the Amendment was inserted in Clause 6 he understood it would really come under the Coal Mines Regulation Act and would fall under the penalties mentioned in subsection (2) of Section 6, namely, a fine not exceeding £2. But if the words were connected with subsection (*a*) of Clause 6 the owner would be involved in a new way in that he would be made guilty of an offence with which he had nothing to do. He wanted to make it clear that any reasonable failure to supply a copy of the regulations should only make the owner liable to the penalty under the Coal Mines Regulation Act.

*Mr. HERBERT SAMUEL: Clause 6 covers all the offences specified in Clause 1 or any other clause, and would equally apply to the hon. Member's Amendment if inserted here as it would apply to my right hon. friend's Amendment if inserted in Clause 6.

Mr. MARKHAM thought that instead of accepting this Amendment it might be enacted that a copy of these particular rules should be supplied with the special rules at present supplied to every miner. Otherwise they would have men coming to the office and asking for a copy of these rules when they might be embodied with the special rules and all trouble obviated.

*Mr. HERBERT SAMUEL: We will consider that suggestion.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 2, line 31, to leave out the first word 'the' and insert 'a.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Amendment proposed—

"In page 2, line 31, after the word 'inspector' to insert the words 'under the last foregoing subsection.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."

Mr. J. F. MASON asked whether the limitation of the functions of the inspector by this Amendment to the winding described in the subsection was imposed with a definite view to preventing appeals in regard to other points. Was there any definite object in limiting the inspector's functions to this subsection?

Mr. GLADSTONE: The decision of the inspector refers only to these particular proceedings.

Sir F. BANBURY said the cla[illegible] said—

"The interval between the times fixed for the commencement and the completion of the lowering and raising of each shift of workmen to and from the mine shall be such as may for the time being be approved by the inspector as the time reasonably required for the purpose."

Would this point be limited to that?

Mr. GLADSTONE: Yes, Sir.

Amendment agreed to.

SIR F. BANBURY moved an Amendment changing the appeal from a Judge of the County Court to a Judge of the High Court. He understood that these words were in the provisions of the Arbitration Act, and it seemed to him that it would be the proper proceeding under this Bill. It was obvious that it would be better for these proceedings to come before a Judge of the High Court rather than before a Judge of the County Court, and he would, therefore, move the Amendment without further argument.

VISCOUNT CASTLEREAGH in seconding the Amendment said he had an Amendment lower on the Paper in which he proposed to insert the words "Chairman of the general or Quarter Sessions of the peace within the jurisdiction of which the mine or any shaft of the mine is situated." As he understood it generally the law left these matters to the High Court if the arbitrators disagreed as to the appointment of an umpire, but in the Coal Mines Regulation Act, 1887, of which this Bill was a part, when a matter came to arbitration the umpire was appointed by the chairman of Quarter Sessions in the district.

AN HON. MEMBER: No.

VISCOUNT CASTLEREAGH said he thought he was stating a fact. He did not put forward anything in regard to the law of which he was not certain. To his mind there was a certain amount of substance about the Amendment. It was inadvisable to leave a matter of this kind to the Judges of the County Court, for many reasons. Local conditions might affect their minds and he thought it would be better to leave it to one of the authorities put forward either in his Amendment or in that of his hon. friend.

Amendment proposed—

"In page 2, line 34, to leave out the words 'the Judge of the County Courts for the district,' and to insert the words 'a Judge of His Majesty's High Court of Justice.'"—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR S. EVANS: Under the general principle of the Arbitration Act, in the event of arbitration not being agreed upon, application can be made to a Judge of the High Court, but that is a very different thing from the appointment of a person to decide a question of this kind, which is a matter between the inspector and manager of the mine. In the first place, I do not think that disputes of this kind will occur very often. The inspectors are sensible, practical men, and the managers of collieries are also practical and sensible men, and I think that these questions are, therefore, hardly likely to arise. I am satisfied that when they do arise, a Judge of the County Court is a very much better person for this purpose than a Judge of the High Court. In regard to the proposal of the noble Lord, I hardly think the chairman of Quarter Sessions is the proper person for this purpose, for his Court only sits once in three months, and there would therefore be delay. If this matter were left to a Judge of the High Court, there would also be delay. He would almost of necessity have to get evidence by affidavit or otherwise as the case may be as to the best person to appoint as umpire, and that involves delays and expense which may lead to ill-feeling between the parties, whereas if you leave it to the County Court Judge, who sits every month, and in some cases every fortnight, he is in possession, as a rule, of intimate local knowledge which would suffice for the purpose of this appointment. The chairman of Quarter Sessions rarely has anything to do with mining experts, but the County Court Judge has them before him constantly and knows the men who are practicable, and if he wants one he has the names of three or four ready who would be suitable for the purpose. I hope the hon. Baronet will not press his Amendment to a division.

MR. LAURENCE HARDY said he still hoped the Government would consider this Amendment thoroughly, and that the hon. and learned Solicitor-General would give way. The very grounds which he had given against it were those which were most in favour of the Amendment. He said that these cases would very seldom occur, and that both parties were extremely sensible and practical men of high character. Surely, if these cases were going to occur very seldom and both parties were of such high character, the cases when they did occur would be serious, and such as ought to be taken to the High Court and not to a County Court Judge, who was too much connected with local affairs to be independent.

SIR S. EVANS: I think hon. Members do not understand that this is not a question where a Judge of the High Court or a Judge of the County Court shall decide the matter, but one which deals merely with the appointment of an umpire.

MR. RENWICK said that he, on this occasion, could not agree with the hon. Baronet. He thought the Amendment was a reflection on the Judges of the County Court. They in the North of England had the highest possible opinion of County Court Judges, and he with others had recently been endeavouring to increase their *status* He should not like, therefore, to put this reflection on them. It would be a reflection, for by the Bill they were giving this power in Scotland to the sheriff of the county. He submitted that a Judge of the County Court was at least equal to the sheriff of the county.

LORD R. CECIL thought this was a delicate subject to go into. He was sure the Solicitor-General would agree with him that most County Court Judges were entitled to and received the respect of the public, but it did happen sometimes that a County Court Judge got into rather a groove in his district, and listened to one set of people rather than another. Unless a man was of exceptional strength, sitting constantly and having the same set of people before him constantly, he did get into the hands of one set of people, with the result that where there was a case of real importance requiring real discretion there was an advantage in submitting it to someone outside the locality. He thought under these circumstances it would be better to leave the matter to the Judge of the High Court. He quite agreed that in the great majority of cases no question would arise, but he thought it would be well to make provision that in default of agreement as to the person nominated the matter should go to the High Court. Such a case would only be one where there was real feeling. He should have thought that the right Amendment would have been one providing that the person to act as umpire should be appointed by the parties concerned, and failing agreement by a Judge of the High Court.

Question put.

The House divided:—Ayes, 205; Noes, 44. (Division List No. 449.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bethell, Sir J. H. (Essex, Romf'd)
Bethell, T. R. (Essex, Maldon)
Boland, John
Bowerman, C. W.

Mr. Laurence Hardy.

Brace, William
Bramsdon, T. A.
Branch, James
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J, Annan
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Cleland, J. W.
Clough, William
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Corbett, C. H. (Sussex, E. Grinst'd
Crean, Eugene
Crooks, William
Crossley, William J,

Curran, Peter Francis
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall)
Edwards, Enoch (Hanley)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)

Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gwynn, Stephen Lucius
Hall, Frederick
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harmsworth, Cecil B.(Worc'r.)
Harmsworth,R.L.(Caithness-sh
Harvey, W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hazel, Dr. A. E.
Helme, Norval Watson
Henry, Charles S.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Joyce, Michael
Kearley, Sir Hudson E.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lea,Hugh Cecil(St. Pancras,E)
Lehmann, R. C.
Lever,A. Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Macpherson, J. T.
MacVeagh,Jeremiah(Down, S.)
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Massie, J.
Menzies, Walter
Middlebrook, William
Molteno, Percy Alport
Morton, Alpheus Cleophas
Murphy, John (Kerry, East)
Murray,Capt.HnA.C.(Kincard.
Nannetti, Joseph P.
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholson,Charles N.(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien,Kendal (TipperaryMid
O'Brien, Patrick (Kikenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Rea,Walter Russell (Scarboro')
Renwick, George
Richards,Thomas(W.Monm'th)
Richards,T.F. (Wolverh'mpt'n)
Ridsdale, E. A.
Roberts, Chares H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'd)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Samuel,Rt.Hn.H.L.(Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E. (Manchester
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Staveley-Hill, Henry (Staff'sh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strauss, E. A. (Abingdon)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thompson, J.W.H.(Somerset,E
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward,John(Stoke-upon-Trent)
Wardle, George J.
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Sir Luke (York, E.R.)
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Wilson, J. W. (Worcestersh.N.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Barrie, H.T. (Londonderry, N.)
Beach,Hn.Michael Hugh Hicks
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cory, Sir Clifford John
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Gardner, Ernest
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Hardy,Laurence (Kent,Ashf'rd
Harris, Frederick Leverton
Hill, Sir Clement
Houston, Robert Paterson
Hunt, Rowand
King,Sir HenrySeymour (Hull)
Lambton, Hon. Frederick Wm.
Long,Col.Charles W.(Evesham)
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Morrison-Bell, Captain
Nield, Herbert
Powell, Sir Francis Sharp
Rawlinson,John Frederick Peel
Renton, Leslie
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Stanier, Beville
Thornton, Percy M.
Valentia, Viscount
Wortley, Rt. Hn. C. B. Stuart-
Younger, George

TELLERS FOR THE NOES—Sir Frederick Banbury and Mr. Bowles.

On Mr. BRACE being called upon to move an Amendment standing in his name to amend subsection (7) so as to include in the expression "workman," a fireman, examiner, or deputy,—

SIR S. EVANS asked to be allowed to move this Amendment himself. He said he had promised earlier in the day, when the House was discussing the word "workman" to make it perfectly clear that the exemption should be expressly intended to apply to examiners or deputies, by moving the words "other than a fireman, examiner, or deputy." That made it perfectly clear that these persons would be entitled to exemption under Clause 1.

Amendment proposed—

"In page 2, line 40, after the word 'mine,' to insert the words 'other than a fireman, examiner, or deputy.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there inserted."

*MR. LUPTON said he regretted that the hon. and learned Gentleman should propose this Amendment. It seemed to him that it would make the management of a mine exceedingly difficult. They could not set on any number of officials to deal with the working of the mine. A deputy had sometimes to be in the mine day and night. He was sometimes the only man who understood the situation, and this Amendment would make it far worse. He hoped the hon. and learned Gentleman would not persist in the Amendment.

Amendment agreed to.

*MR. LUPTON moved an Amendment to exclude an engineman from the expression "workman." He said that there were a great many enginemen who had a very nice quiet life down below, with very little work to do beyond sitting on a bench and reading the paper, in some cases smoking a pipe, and perhaps oiling the engine occasionally. This measure might deprive them of their means of livelihood, because four enginemen would be required to do work which was now done by two, and the result would very likely be that the owner or manager would say he could not afford four enginemen and would have to send one man round to the various engines to see that they were in order, taking the risk of a breakdown. At present decidedly middle-aged or elderly men were employed in this capacity and ended their days very happily in the engine-house. He hoped, therefore, the Government would accept the Amendment.

Amendment not seconded.

*SIR C. J. CORY moved an Amendment to exclude from the expression "workman" any person employed in working or shifting a coal-cutter, conveyor or other mechanical appliance for the purpose of getting or conveying the coal. He asked the right hon. Gentleman to agree to this Amendment in the interests of the men themselves. If the coal-cutter were stopped before the cut was completed, a large number of men might be delayed in their work the next day, and therefore it was to the interests of the mineowners and the men themselves that these words should be accepted.

MR. BECK seconded.

Amendment proposed—

"In page 2, line 40, to leave out the second word 'or.'"—*Sir C. J. Cory.*)

Question proposed, "That the word 'or' stand part of the Bill."

*MR. HERBERT SAMUEL: This Amendment goes very much further than the one discussed a few minutes ago. So far as the possibility of a breakdown of coal-cutting machinery, and the inconvenience caused thereby to the working of the mine are concerned, that point has been already adequately dealt with by the exemption in the case of serious inconvenience caused to the working of the mine through unforeseen circumstances. The hon. Member now proposes to exempt from all the provisions of the Act, in all circumstances, all the men employed in working or shifting a coal-cutter, conveyor, or other mechanical appliance for the purpose of getting or conveying the coal. There can be no justification for that.

MR. J. F. MASON said that, so far as he understood, the point raised by the Amendment was that the coal-cutter had to go a certain distance to prepare the work of the next day. Would any stoppage in the coal-cutting through a breakdown which prevented the finishing of the complete cut of coal for the next day be covered by the provision mentioned by the right hon. Gentleman ?

*MR. HERBERT SAMUEL: Certainly, if it were an unforeseen circumstance; but supposing there were some natural defect in the seam which it was well known would stop the coal-cutter for a certain time, then our contention is that allowance ought to be made each day for the well-known conditions of the mine, and that can be done and is done by any capable manager. Where there is any unforeseen circumstance such as a fault in the seam which is discovered for the first time and was not previously expected, no doubt that would be a case covered by the exception.

Amendment negatived.

VISCOUNT CASTLEREAGH moved to substitute the word "number" for "body." He said it was not an Amendment of very great importance, though he thought it would be agreed that the word "body" was not quite a suitable word. He was not aware that there was any precedent for the word "body" in this respect, and he suggested that the word "number" was far more suitable. The word "body" conveyed the idea of a large number of men, and had a somewhat military sound, and therefore ought not to commend itself to hon. Members opposite. He thought the word "number" fairly met the case, as it might mean anything more than one man, and there were circumstances in which two men might be affected by the clause. It was purely a drafting Amendment.

SIR C. J. CORY seconded.

Amendment proposed—

"In page 3, line 1, to leave out the word 'body,' and insert the word 'number.'"—(*Viscount Castlereagh.*)

Amendment agreed to.

MR. KEIR HARDIE said he rose to move an Amendment of substance, and one for which he asked the attention of the Government. It was to amend the provision of Clause 1 which permitted a fireman or deputy to be employed nine and a half hours during the probationary period of three years after the Act, and nine hours a day afterwards. All Members acquainted with the working of a mine were aware that the duties and responsibilities of these men were of a very heavy and a very serious kind. They were required to go down into the pit early in the morning and examine the working places, and they had the whole responsibility of seeing to the ventilation, the absence of fire-damp, the provision of a proper supply of timber, and things of that kind. They must all be aware that these men could not go down into and come up from the mine at the same times as the colliers. They must go down before to examine the places and perform their other duties. What they were attempting to obtain by this Amendment was that their hours of labour should not exceed eight per day. As a matter of fact, in those parts of the coal-fields with which he was best acquainted, even though the hours of the working collier and the other employees were long, those of the firemen usually did not exceed eight per day. Employers found it to their advantage to give those men a short working day because of the heavy responsibility resting upon them and the need for obtaining a superior class of workmen. If they were to say to these men that they were to be kept at work for an hour to an hour and a half longer than the ordinary colliers, it would not only inflict a very serious injustice upon them but would lead to a lower type of workmen being employed for the performance of those special duties. He moved that the fireman and deputy be exempted from the subsection in order that they might come within the scope of the Bill and obtain the short working day. He did not know that the point required to be laboured, and he hoped the Government would be able to accept the Amendment. Otherwise most serious consequences would follow.

MR. THOMAS RICHARDS (Monmouthshire, W.) seconded the Amendment and joined with the hon. Member for Merthyr Tydvil in hoping the Government would accept it. Perhaps he might be allowed to congratulate their hon. friends that at last the conspiracy of silence had broken down, and that ought to be proof of the importance of this Amendment. They had not felt it necessary to talk very much upon this measure. He thought it was really modest and becoming of them to allow other Members to have their say upon it. Then, too, if they had taken up the time of the House they would have been deprived of some, perhaps, of the very many interesting speeches they had had from the Members from the North. The hon. Member for Merthyr Tydvil had referred to the important duties the men referred to had to perform in the mines. The shortness of the time at their disposal prevented anything like a lengthy argument, but the learned Solicitor-General had already given so very many indications of his intimate knowledge of mining, and as he knew personally that he was very intimately acquainted with the work these men performed in the mines and the difficulties under which they did it, he did not think it was essential to labour the subject. Sufficient for him to say that these men entered the mine; each went to his own districts, traversed the dark galleries, and was responsible for examining every nook and corner of the mine for dangers that might be lurking there. That work required the utmost exercise of every faculty the men possessed, both mental and physical. Then if, perhaps, he did not notice a danger, and the workmen went in after the examination and was killed, the fireman had to attend the inquest, and was very often kept about all day, and had to go down the mine again when the hour arrived for the performance of his onerous duties. He did not know if this was included in the printed opposition they had received from the Mining Association, but he did not think any responsible colliery owner would seriously object to giving these men the benefit of this Act of Parliament. After all, eight hours of continuous labour such as these men had was surely enough under the most pleasant conditions' but when it had to be performed in the dismal darkness of the mine, everybody would agree that it was enough. There was no question here in which either the Coal Consumers' League or the general public were in any sense whatever concerned. The benefit to these workmen and the additional safety of the miners would be great if only reasonable working hours were allowed, and he earnestly begged the learned Solicitor-General to accept the Amendment.

Amendment proposed—

"In page 3, line 5, to leave out the words 'firemen or deputy.'"—(*Mr. Keir Hardie.*)

Question proposed, "That the word 'firemen' stand part of the Bill."

MR. MARKHAM joined in the appeal to include these men in the sphere of operations of the Bill. He spoke at some length on the question in Committee and did not, therefore, wish to detain the House by reiterating the arguments. Taking these men all over the country they were as fine a body of men as could be found. They went through great dangers, receiving as a rule a much lower rate of pay than the colliers working in the pits. In South Wales more particularly their duties were extremely onerous, and he thought they ought to participate in this legislation. He hoped the Government would accede to the appeal, because under the clause as it was drawn the the deputy would actually be in the pit for full nine and a half hours, or very nearly so, because the winding was excluded, whereas the working miner, who had a less onerous work, had only to be in the mine eight hours.

MR. LUPTON said it seemed to him that the effect of the Amendment would be that the deputy would only be allowed in the mine for half an hour less time than the ordinary miner, because he would not be in a shift of workmen and his time would only be eight hours from bank to bank. He would like to know what the effect was likely to be in a small mine. In many small mines the deputy went down in the morning, then came out of the pit and got his breakfast or dinner, and then went down in the afternoon and saw the men out. Would the effect be that from the first time he went down to the last time he came up would be counted as eight hours; would he be allowed to go down the pit twice in twenty-four hours? It would be a serious matter if the Government accepted the Amendment without careful consideration.

*SIR C. J. CORY thought the Amendment would be an undesirable interference with the management of a mine. The fireman or deputy was not necessarily down the whole time during the working of the pit, but might go up and down. After all, the liability and responsibility for the safety of the men rested upon the mine owner, agent, or manager and if he kept the fireman down an unreasonable time so that he could not perform his duties satisfactorily, that would be brought up against him if any legal proceedings arose. He did not think it was desirable to include these men.

SIR S. EVANS: I do not wish to bind the House in any way, but this matter was discussed in Committee very fully. The arguments that have been brought forward have convinced reasonable Members that under all the circumstances this very small and very capable class of men ought not to be exactly in the same position as the ordinary workmen. The ordinary workmen are included as working in the shift, and although a fireman may be in a shift he does not belong to that particular shift. There is laid upon him the obligation of going down before the shift goes down, and he goes down an hour, sometimes one and a half hours, sometimes two hours, before the shift actually begins, so that he may satisfy himself as to the safety of the mine generally and the safety in all working places. So that he does not really belong to a particular shift, and therefore, there is a great difficulty in dealing with the cases of the fireman and the examiner. Everybody knows how serious a responsibility rests upon the firemen. Their work is extremely responsible, and it is because of that that I think it would be wise, in the interests of the management or of the miners themselves, to say that in no case should a particular fireman be underground for a period of more than eight hours. We think on the whole, having given great consideration to this matter, that it is a question as between a small body of men and the management of the mine.

MR. MARKHAM: These men are not in the Miners' Federation or the other miners' organisations.

SIR S. EVANS: They are a small body of men taking, certainly, a more direct part in conjunction with the management than the other men. Although it is right to restrict within certain limits the hours underground of the firemen and deputies, we think that on the whole it is better to leave this matter to an arrangement between the masters and these officials themselves. It is perfectly true that the responsibility for the safety of the mine rests with the managers and the officials, who have to take the necessary precautions they are bound under the Act of Parliament to take, and who are subject to the very severest penalties if they do not perform that obligation. In the case of anything like culpable negligence they might even be prosecuted for manslaughter. The new provisions in regard to these men are that as compared with the eight or eight and a half hours proposed for the ordinary miner they are to be allowed underground for nine and a half hours. But, of course, this does not preclude in any degree, or in any sense, any arrangement which may be required for the safety of the collier, between the management of the mine and these men for regulating still further the hours. The clause lays down that the "maximum period" shall not exceed nine and a half hours during the three years after the commencement of this Act, and thereafter nine hours.

MR. KEIR HARDIE inquired if it was not the case that firemen might be made a shift under the terms of the clause?

SIR S. EVANS: There is no question of numbers of workmen here at all. It is the case of an official sent down for a particular purpose, and you cannot say that a fireman is in a particular shift. In answer to the hon. Member for Merthyr

Tydvil, I wish to say that in my opinion the provisions of the clause would not make the firemen a shift of workmen. Upon the whole, I hope the House will accept the decision of the Government upon this. They look at it from the point of view of those who are mainly responsible not for their own safety and health, but for the safety of the men generally who are working in the mine.

Mr. WILLIAM ABRAHAM could not agree with the idea that this question could be settled between the firemen and the management, any more than it could be settled between the management and the workpeople. Certain employers had introduced a system of three periods of eight hours in the twenty-four for their firemen, and in conjunction with that he was glad to say the number of accidents had been considerably reduced.

Amendment negatived.

Amendment proposed—

"In page 3, line 5, after the word 'firemen,' to insert the word 'examiner.'" — (*Mr. Gladstone.*)

Amendment agreed to.

Mr. GLOVER proposed to insert after the word "deputy," the words "mechanic, horsekeeper." He said his object was to bring these two parties under the Bill.

Mr. LAURENCE HARDY: On a point of order, Mr. Speaker, have we not already passed these words in subsection (3), and therefore would it not be impossible to insert them here?

*Mr. SPEAKER: That is so. I did not notice that.

*Mr. HERBERT SAMUEL: Is it not clear that mechanics and horsekeepers are not workmen within the meaning of the Act as decided in subsection (7)?

*Mr. SPEAKER: I think that is so. I think subsection (7) excludes them altogether.

Mr. LUPTON moved to insert after the word "fireman" the word "engineman." He need not remind the House, he said, that there were a great many enginemen engaged below ground. He did not know whether an enginemen would be one of a shift of workmen, but if he was he would not be able to get to his place before other workmen in order to get his engine ready, though as a matter of fact the workmen would require the engine to start as soon as they got in the pit. From his experience of mines, he did not hesitate to say that a very serious hindrance to the working of the mine would be caused unless the engineman was added.

Mr. BOWLES, in seconding the Amendment, said the object of the whole of the subsection was to take care that all the persons whose work was essentially necessary to the work of the shift, but was not of such a character that they could be regarded as part of the shift, should be allowed ample time to prepare for the work of the mine. It was quite clear that among such men enginemen must be classed. If they were going to insert the pump-minder and fan-minder, he could not see why the engineman should not also be inserted. He thought the Government would see the reasonableness of the proposition, and he hoped they would accept the Amendment.

Amendment proposed—

"In page 3, line 6, after the word 'fanman,' to insert the word 'engineman.'" — (*Mr. Lupton.*)

Question proposed, "That the word "engineman" be there inserted."

*Mr. HERBERT SAMUEL: The colliery winding engineman is, of course, not concerned in this Amendment, because he works above ground. It can only refer, therefore, to the engineman employed below ground in connection with haulage. Some time ago I received a deputation from persons representing the coal owners, and I would tell the House that this point was not pressed. We went through all the categories of officials most carefully, and discussed them one by one with a view to seeing whether they should be exempted or not. It was never suggested by the deputation that exemption was necessary in regard to the engineman below ground, and we are advised that it is not necessary. In these circumstances the Amendment cannot be accepted.

MR. LAMBTON did not think the point just made by the Under-Secretary to the Home Office was a very conclusive one. Surely it was not contended that, because these coal owners did not ask for these men to be included it was a conclusive reason why they should not be? The enginemen employed below ground were most important persons so far as the working of the mine was concerned, and he very heartily supported the Amendment.

LORD R. CECIL asked if the Government were going to give the House no better reason than they had done for resisting the Amendment. The argument that the engineman was not mentioned among the officials by the deputation that waited on the right hon. Gentleman was not at all a convincing one. The Government exempted all the people who had to go down before the shift, except the engineman, and he would like to know why they left him out.

MR. GLADSTONE: These men are exclusively employed below ground. They have plenty of time in the course of the shift to attend to their engine as regards cleaning, which is an operation that would take perhaps an hour or more. This, I am given to understand, is done in short odd shifts, and, therefore, it is unnecessary to extend the exemption to enginemen as proposed by the Amendment.

MR. LUPTON: I may say that do not want to go to a division.

Question put.

The House divided:—Ayes, 36; Noes, 159. (Division List No. 450.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F.
Banbury, Sir Frederick George
Barrie, H.T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beck, A. Cecil
Bull, Sir William James
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Coates, Major E. F. (Lewisham)
Cory, Sir Clifford John
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Goulding, Edward Alfred
Hardy, Laurence (Kent, Ashford)
Houston, Robert Paterson
Hunt, Rowland
King, Sir Henry Seymour (Hull)
Long, Col. Charles W. (Evesham
Lupton, Arnold
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Morrison-Bell, Captain
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Renwick, George
Ridsdale, E. A.
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Stanier, Beville
Valentia, Viscount
Younger, George

TELLERS FOR THE AYES—Mr. Bowles and Mr. Lambton.

NOES.

Abraham William (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Allen, A. Acland (Christchurch)
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bowerman, C. W.
Brace, William
Branch, James
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Corbett, C. H. (Sussex, E Grinst'd
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Curran, Peter Francis
Davies, Sir W. Howell (Bristol, S.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Enoch (Hanley)
Erskine David C.
Essex, R. W.
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Goddard, Sir Daniel Ford
Gwynn, Stephen Lucius
Hall, Frederick

Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hazel, Dr. A. E.
Henry, Charles S.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Horniman, Emslie John
Hutton, Alfred Eddison
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Lambert, George
Lea, Hugh Cecil (St. Pancras, E.)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Macdonald, J. M. (Falkirk Bg'hs.
MacNiell, John Gordon Swift
Macpherson, J. T.
MacVeigh, Charles (Donegal, E.)
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Markham, Arthur Basil
Marnham, F. J.
Middlebrook, William
Molteno, Percy Alport
Morton, Alpheus Cleophas
Murphy, John (Kerry, East)
Murray, Capt. Hn A. C. (Kincard.
Nannetti, Joseph P.
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
O'Dowd, John
O'Grady, J.
Parker, James (Halifax)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Richards, Thomas (W. Monm'th.
Richards, T. F. (Wolverh'mpt'n
Roberts, G. H. (Norwich)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rowlands, J.
Samuel, Rt. Hn. H. L. (Cleveland)
Seaverns, J. H.
Seddon, J.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Steadman, W. C.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thompson, J. W. H. (Somerset, E
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
White, Sir George (Norfolk
White, J. Dundas (Dumbart'nsh.
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Wilson, J. W. (Worcestersh. N.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

Amendment proposed—

"In page 3, line 8, to leave out the word 'three,' and insert the word 'five.'"—(*Mr. Gladstone.*)

Amendment agreed to.

VISCOUNT CASTLEREAGH moved to add at the end of Clause 1 the words "except in legal proceedings." He would like the Solicitor-General to satisfy him that there was absolutely no doubt on this clause. The words he suggested, "except in legal proceedings," sounded as though they would overload the Bill, but as it stood there might be some doubt as to the jurisdiction of the Secretary of State. Was there any doubt whatever?

Amendment proposed—

"In page 3, line 23, at the end to add the words 'except in legal proceedings.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there added."

SIR S. EVANS: Those words are quite unnecessary, because the words "otherwise than in legal proceedings" appear in the Bill.

MR. BOWLES said the hon. and learned Solicitor-General had not perhaps grasped the point that had just been raised. The doubt they felt was this. The House would see that it was enacted that—

"If any question under this section arises (otherwise than in legal proceedings) the question shall be left to the Home Secretary to decide whether any person is a workman or a workman of a particular class."

Supposing the question arose, and the inspector took one view and the manager another, application would be made to the Secretary of State to decide whether the man was or was not a workman. If after that decision had been given a case came before a Court of law, what would happen? Would it be possible for the Judge in that Court to say: "This case comes before me in legal proceedings, but before it came before me the Secretary of State gave a decision on the point which by statute law is final." The Amendment was intended to remove the doubt on that point. He did not know that this was the best way of removing it, but the insertion of these words certainly would remove it. The point on which they would like a reply from the Solicitor General was whether the decision of the Home Secretary would bind a Court of law.

Sir S. EVANS: With the permission of the House I will say a little more fully what my opinion is and what are my reasons for that opinion. I think there is no doubt that in any legal proceedings, the decision which had been given by the Secretary of State would not be binding. The Judge will say: "These are legal proceedings and there are facts into which we have to inquire and on which we have to decide," and the decision would be given without reference to the decision of the Secretary of State. The same phraseology is used in the Coal Mines Regulation Act of 1887.

Viscount CASTLEREAGH asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Mr. LAMBTON moved to omit from Clause 2 the words "and the cause thereof." This clause said that there should be a register kept at the pit-head in which was to be put down the hours the men were lowered into and raised from the mine, and that in cases in which a man was below ground for more than the time fixed by the Act the cause thereof should be entered. If this register was kept at the pit-head it would be impossible for the man at the pit-head in charge of the register to know the cause why a man was below longer than he should be. It had been suggested that the owner or agent should be responsible for a man being up in time. Clause 6, subsection (*a*) said that the owner or agent should only be responsible for providing for the lowering and raising of the men at the proper time, and that their functions did not extend beyond that. Under this clause, the owners came under special penalties. The subsection said that—

> "If any person makes a false entry in the register which is to be kept under this section, or causes or permits any such entry to be made, he shall be liable on summary conviction in respect of each offence to a fine not exceeding £5."

The workman could give any cause for being late that he liked to the man who kept the register, and that must then be entered in the register. There was, however, a penalty for making a false entry, and if the man coming up late gave an excuse, and that excuse was found to be false, if attention was called to it he was liable to a fine of £5. The removal of these words would make no difference to the principle of the Bill.

Mr. BOWLES seconded the Amendment. He could not help thinking that it was not necessary for the purpose of the Act that anything should be known except that a man had been below ground for a longer period than the law allowed. Whatever the cause might be if they were going to proceed further they would have to have an inquiry into the whole circumstances to find out whether the cause for delay came under the provisions of the Bill. The statement of the cause was quite unnecessary and would be of very doubtful validity in any case. This provision could not be of any use, for all the inspector wanted to know was whether a man had been down the mine longer than was allowed by the law. He thought the Government should give way on this point. The words were really unnecessary and irritating and he hoped the Government would allow them to be taken out.

Amendment proposed—

> "In page 3, line 31, to leave out the words 'and the cause thereof.'"—(*Mr. Lambton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*Mr. HERBERT SAMUEL: If it really were the case that these words were unnecessary and of no substantive value at all, we should of course be very glad to accept the Amendment; but I think I shall be able in a very few moments to convince the hon. Gentleman that these words are necessary. The Bill prescribes certain limitations of hours and gives a number of exemptions from those hours. It is obvious, if you do not have some control, that these exemptions may be so used by wrongly disposed persons as to evade the whole purpose of the Act. You must have some simple method of enforcement and of check. That is provided for by the register, which has to state the times at which a man goes down and comes up, and if the stay exceeds the times allowed then the register must state the reason. It would not be enough for the register merely to say that such and such a person came up an hour late and so on. It would afford no guidance whatever to the inspector, and since the inspector's visit might be a fortnight or month later he would have no basis on which to form an inquiry. And he would have to inquire into every case. If the inspector saw against a man's name that he came up late because there was an accident below ground, and there were several other men who were also late for that reason, the inspector would know that might be accurate because he would already have received notice of the accident from the owner of the pit and the two things would tally. I think it would be most inconvenient if you merely stated times and not the particular exemption under which a man had exceeded his time. As to the owner being liable in cases where he was incorrectly informed I am told by my hon. and learned friend the Solicitor-General and we were told in Committee by the Solicitor-General for Scotland that that would not be so. We do not say he would be liable if an inaccurate entry were put in the register. It must be, to his knowledge, false.

Mr. LAMBTON thought he pointed out just now that the only excuse the person could put down in the register was the excuse that the man himself gave and therefore, if he put down the excuse given him by the man who came up late, and that excuse turned out to be false, the man who kept the register was liable to a fine.

Mr. BRACE: Is the hon. Gentleman permitted to make a second speech?

*Mr. SPEAKER: If he likes.

Mr. Herbert Samuel.

Mr. LAMBTON said he did not want to make any if he could help it, and if the Government would only accept reasonable Amendments he would not trouble them. The registrar could not possibly know what was the cause, and if it should turn out, through no cause of his, that he was liable to a penalty it was most unfair.

Mr. LUPTON thought the man who kept the register at the pit-head would find plenty to do to keep the times of the men coming up, especially if they were late. He would have to give his attention strictly to keeping the time, and if he had to enter into any inquiry as to the cause it would involve a large staff of clerks at the pit-head. The real record of the case would be kept by the manager in his own defence. He would have another book in which he would enter the cause, so that when the inspector came round and found that a certain number of men had not come up the pit at the proper time, and he proceeded to inquire, then the manager or deputy would produce the book, and not the register, which should be simply a record of the times the men went down and came up.

Mr. McARTHUR asked whether the word "alleged" before "cause" would not meet the case.

Mr. MARKHAM said he was certain in practice it would be quite impossible to keep this register. It would consist of inaccurate entries. He did not know what was the use of having a register unless it was a true register. The Solicitor-General for Scotland assured him the word "false" covered any owner who put down the cause in the register if he thought that cause was the correct one, but in point of fact the Solicitor-General could not deny that it would be quite impracticable where they had 3,000 men in a mine and, say, 100 came up late. Owing to the many exemptions in the Bill it would be quite impossible for the manager to know or register the cause. He urged on the Government the importance of having a register, but he thought if the manager of the mine had to find out the cause it would be a very serious thing indeed.

He was quite confident the register would not be correct, and it was impossible to keep a correct one. The question was whether under these circumstances the House should pass legislation which it knew could not possibly be carried out in practice.

SIR S. EVANS: I think the difficulty of keeping a register in compliance with this section has been rather exaggerated by the hon. Member. It is of the greatest importance in order that the Act may be properly carried out that there should be a statement made at the time as to the alleged cause, because it is only alleged. I entirely agree with what I understand is the opinion of my hon. and learned friend the Solicitor-General for Scotland that the words "false entry" necessarily implies knowledge on the part of the person making the statement. If it is thought desirable, however, the word "knowingly" might be inserted, though I do not think it is necessary.

MR. LAURENCE HARDY: After the speech we have just listened to would it not meet the point if the word "alleged" which was used by the Solicitor-General were inserted?

SIR S. EVANS: I used the word "alleged" because, at the moment, it served my argument. But if you insert the word in the clause, the question would arise: "By whom alleged?"

*MR. HERBERT SAMUEL: I think the point would be fully met if the word "knowingly" were inserted. Although in the view of the Government the word is not necessary, if hon. Members desire it we have no objection.

MR. RENWICK hoped the right hon. Gentleman would agree to the use of the word "alleged," and also the word "knowingly," because all that the keeper of the register could put down was alleged as the information was given to him by somebody else. It seemed to him that there was the greatest reluctance on the part of those in charge of the Bill to meet them in regard to these matters. The conclusion he had come to was that there was rather a desire to create offences and penalties, than to legislate in a common-sense way.

MR. LAMBTON said he was not satisfied, but in view of the promise of the right hon. Gentleman the Under-Secretary, he begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. BOWLES moved an Amendment to subsection (2) of Clause 2 to prevent more than one person being stationed by the workmen of a mine at the pit-head for the purpose of observing the time of lowering and raising. He thought it would be a good thing to limit this power to one person at a time. The object, of course, of the clause as it stood was to enable the workpeople at the mine to inform themselves if any infraction of the Act was taking place. The duties of these persons would be merely those of observation, not of intricate movements, but merely of the time the cage arrived and returned. That could be perfectly well done by one person; in fact, he could hardly suppose that the workpeople in the mine would dream of sending more than one person to check. He did not think hon. Gentlemen below the gangway would say it was essentially necessary to have more than one person at the pit-head for the purpose of observing the times. If that were so, it seemed to him that the House would be well advised, in view of the possibilities of the Bill, to limit the number of persons who had a statutory right to be at the pit-head, for the avowed purpose of observation. Subject to any enlightenment he might get, he hoped the Government would accept the Amendment.

SIR F. BANBURY seconded the Amendment.

Amendment proposed—

"In page 3, line 35, to leave out the words 'one or more persons,' and insert the words 'a person.'"—(*Mr. Bowles.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. MARKHAM hoped the right hon. Gentleman would accept no limit, because in the large pits where many men might be going up or down in three or four shifts it would be quite impossible to state in the Act how many persons would be required.

Mr. GLADSTONE: Obviously it is anticipated that these men will be there for certain purposes. If so they are under the Mines Regulations Acts and proceedings can be taken against them to prevent misbehaviour. There is no reason to expect such misbehaviour. Where you have a two or three shifts mine working all through the year it is impossible to say that there shall be only one man in the mine to deal with them. I really cannot see that any real argument can be made in favour of the Amendment, and therefore cannot accept it.

Viscount CASTLEREAGH thought the Amendment might be altered to "one person or a reasonable number of persons." Peaceful picketing was not unknown and it would be perfectly possible to stand at the pit-head an enormous number of men who might not be coming within the purview of the law. He thought the objections that had been put forward might easily be met by altering the Amendment to "one person or a reasonable number of persons."

***Mr. WALSH** (Lancashire, Ince) said he certainly thought their hon. friends above the gangway were attaching too much importance to this Amendment. There were hundreds of cases in which there were three windings during the day. In such cases it would be physically impossible for the one man appointed to undertake the work of supervision. Then, supposing they limited it to one man and there was a conflict of evidence between their own agent or manager and the workman who had been appointed. The matter might find its way into Court—they hoped those things would not find their way into Court, but they might—where they had only one man giving evidence on behalf of the men his evidence might amount to no more than the evidence of the manager. They were hoping that this course would not be required, and that, as a matter of fact, the procedure would work much more smoothly than the fears of some hon. Gentlemen would seem to predict; but for the purposes of evidence it might often be required to have at least two men so as to have corroborative evidence. Anyhow what he submitted was that it would be necessary in the case of the very large pits—and the large pits were very rapidly increasing in number—where there were hundreds of men going down in very heavy windings, it might be absolutely necessary, so as to have smoothness of working, to give at least the power of appointing one or more persons. There must at least be the possibility of more than one being present for the purpose of corroborative evidence. Of what were hon. Members afraid? The duties performed by these men must be held within the duties, and conditioned entirely by the limited powers of the checkweigher and his relations to the owner, agent or manager, and that being the case any such thing as a large body of men assembled upon a pit-head for any other purpose than the one set forth would be a criminal act.

Mr. A. J. BALFOUR: The object of the Amendment is, I believe, to prevent an improper use of the provision. I understand, *per contra*, that the Government say that an improper use is absolutely prevented by the existing provisions as to checkweighers, and I think perhaps we should all be satisfied if the learned Solicitor-General would explain the Checkweighers Act at this stage.

Sir S. EVANS: It is quite clear. The Checkweighers Act lays down that he must not interfere in any way with the management of the mine or exceed his duties as a checkweigher. Cases have been brought in South Wales where the checkweigher has distributed notices to those in the colliery, and stated that he was acting as an agent of the Miners' Federation, and not a checkweigher.

Mr. BOWLES: I am very much obliged, and after what the right hon. Gentleman has said I withdraw the Amendment.

Amendment, by leave, withdrawn.

SIR F. BANBURY moved an Amendment to provide that Section 1, subsection (4) of the Coal Mines (Weighing of Minerals) Act, 1905, should not be applied to the person appointed under subsection (2) of Clause 2. The hon. Baronet said the reason that he moved to omit the section was that if "one or more persons" were to be allowed to attend for these purposes it might be that the mine-owner might have to erect shelters for fifty or even more persons, and taking the clause as it stood, he did not think it was advisable that this section should be included.

MR. BOWLES seconded the Amendment.

Amendment proposed—

"In page 3, line 40, after the word 'weigher,' to insert the words 'other than Section 1, subsection 4 of the Coal Mines (Weighing of Minerals) Act, 1905.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS: I do not think that any reasonable colliery owner would avoid doing what the Act of Parliament says he ought to do in cases of this sort. These men would practically be performing similar duties to those of the checkweigher. They may have to be out in all sorts of weather. The Checkweighers Act makes it necessary for them to provide no palaces or houses, but sheters where the men may keep their books, and for other purposes. I do not think any reasonable employer would object to do this.

SIR F. BANBURY: I do not press the Amendment, and ask leave to withdraw it.

Amendment, by leave, withdrawn.

SIR F. BANBURY moved an Amendment to omit the words "and to the relations of the owner, agent, or manager of the mine to the checkweigher" in the subsection (2) of Clause 2, making the provisions of the Coal Mines Regulations Act applicable to the person appointed. The hon. Baronet said the provision only related to the relations of the owner to the checkweigher. Surely the checkweigher had some relations to the owner or agent which ought to be set down. He had an idea that the right hon. Gentleman had had that before him, and that it was proposed elsewhere to insert words which would provide for that.

Amendment proposed—

"In page 3, line 40, to leave out from the word 'weigher' to the word 'shall' in line 41."—(*Sir F. Banbury.*)

MR. GLADSTONE: I am prepared to accept the Amendment if the hon. Baronet would agree to its being altered so as to make the last two lines of the subsection run thus: "relating to the checkweigher and to the relations between the owner, agent or manager of the mine and the checkweigher."

SIR F. BANBURY: I accept that.

Amendment, as amended, agreed to.

Amendments proposed—

"In page 4, line 5, after the word 'person,' to insert the word 'knowingly.'"

"In page 4, line 6, after the first word 'or' to insert the word 'knowingly.'"—(*Sir F. Banbury.*)

Amendments agreed to.

MR. LUPTON moved to add at the end of the section, the words "Provided that the total amount of fines for offences under this section committed at any one pit in any one period of twenty-four hours shall not exceed twenty-five pounds." It seemed to him that the provision in the Bill would make a man liable for any amount of money for some false entry and that was a serious matter. He admitted that the word "knowingly" which the Home Secretary had just inserted made a considerable difference so far as his (Mr. Lupton's) opinion went, although he believed the Solicitor-General contended that it made no difference at all. He looked upon this as a serious matter, because they might be dealing with hundreds of men, and that a man who made a mistake in the register should be liable to penalties amounting, perhaps, to thousands of pounds was very hard. The Solicitor-General said that a man would not be liable unless he knowingly made a false statement, but, of course, the prosecution would allege that it was done knowingly, and it was not an easy thing always to disprove charges of that kind. It was only necessary for people to get up a case against a man who was alleged to have made a false entry, or caused one to be made, and he might be fined quite an unlimited amount. He knew of no case similar to this, and he could not imagine any thing more reasonable than the Amendment he now proposed.

MR. BECK seconded.

Amendment proposed—

"In page 4, line 8, at the end to insert the words 'Provided that the total amount of fines for offences under this section committed at any one pit in any one period of twenty-four hours shall not exceed twenty-five pounds.'"—(*Mr. Lupton.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS: I accept the Amendment.

MR. MARKHAM said he was very sorry to hear that. If the Government had got on with the business of the session instead of bringing in Education Bills they would not have come to this pass. The Eight-Hours Bill which had been one of the first measures in the Government's programme for the last three years had been constantly delayed, and he could not be a party to any agreement which involved the acceptance of such Amendments as this. It was simply monstrous that in order to save a few minutes time and get the Bill through at the very end of an autumn session the Government should accept an Amendment under which the proprietor or manager of a large colliery who deliberately permitted false entries to be made in the register was not to be liable to a penalty of more than £25 a day. He thought the Amendment was too silly for words.

*MR. HERBERT SAMUEL: I should like to point out to the hon. Member that if the Amendment is adopted it will not have the serious consequences which he appears to anticipate. It merely relates to the keeping of the register. For the offence of keeping men illegally below ground there will be the penalties under Clause 6, and there is no such limitation provided with regard to Clause 6. It is felt, however, that, where you have a cumulative fine for errors in keeping the register, and you can get more than one penalty imposed against a man on one occasion, to make the total unlimited would be too severe.

Amendment agreed to.

VISCOUNT CASTLEREAGH moved, after the word "mine," in Clause 3, to insert the words "or seam." He said this was a very important Amendment, and he sincerely hoped the Government would see their way to accept it. He could not help thinking that the omission of the words "or seam" in this clause dealing with the power to extend the hours of working on a limited number of days during the year was a pure oversight. It must be borne in mind that there might be in one pit two seams of coal—house coal and steam coal. He thought it must be obvious that an owner who possessed two separate pits, one for steam coal and one for house coal, would be in a far more favourable position than the other owner who had one pit with two seams of different coal. There must be a certain amount of doubt as to how the extension would operate in the case of a pit containing both a seam of house coal and a seam of steam coal. Would the owner with two seams in one pit be entitled to the extension of sixty days in regard to only one seam or to both? That was a point which ought to be cleared up unless great confusion and uncertainty was to prevail in the event of the Bill becoming law.

MR. FELL seconded.

Amendment proposed—

"In page 4, line 12, after the word 'mine' to insert the words 'or seam.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill."

MR. GLADSTONE: We cannot accept this Amendment, because it would be impossible, in administering the Bill, to distinguish between two seams in one mine. We follow here the same practice as is adopted in regard to overtime in a factory.

LORD R. CECIL remarked that the analogy of a factory was very misleading, because in the factory they had one business being carried on, whereas here, they had what were substantially two businesses—a steam coal business and a house coal business. They might have this done by two mines or by one mine. He should have thought it was quite plain that they might have one mine with two seams of coal in it of a totally different kind. The position under the Bill was this: If they had two mines, one dealing with steam coal and the other with house coal, then they might work sixty days extra in each. But if they had two seams in one mine, then they could only work sixty days extra for both. Surely that was an unfair provision in the Bill, and his noble friend's proposal ought to be accepted.

MR. GLADSTONE: It would be necessary to keep a separate register for the men working at the different seams in a mine.

MR. BOWLES said from the right hon. Gentleman's statement the only difficulty in working the Amendment appeared to be an administrative one; that was to say, the difficulty of keeping the register. Was the House really to understand that that was the Government's objection? The kind of man who was going to keep the register would be capable of most things, and surely the Home Secretary did not wish the House to believe that it was impossible at the pit-head for the man keeping the register to say in what seam of the pit any particular man was working. The truth was that his noble friend had really put his finger on a clear and palpable injustice as between the owner working seams of house coal and steam coal in separate pits, and the owner doing the same business in one pit. The first man would be able to get an extension for sixty days twice in a year; the second man would be able to get the extension only once in a year. That was clearly an unfairness, and if the only objection to it was that it was impossible to decide at the top of the pit in which seam particular gangs of men were working he could not see that the objection was very serious.

***SIR C. J. CORY** knew of collieries where entirely different classes of coal were worked. In such cases it might very well happen that they would have very large contracts for one class of coal and be very slack in another class. A heavy demand for the latter class might however arise all of a sudden and it would be very hard if the colliery proprietor was not able to get the extension of one hour a day in order to enable him satisfactorily to cope with that demand. He could not see for a moment why the Government should differentiate as regards collieries which worked different seams from the same shaft and those that worked them as separate mines by means of separate shafts or drifts. If they did so he was afraid that at times it would cause some inconvenience.

MR. MARKHAM was not quite clear how they stood in regard to this particular case. He was the owner of a mine where he had a hard coal seam quite distinct from an upper seam, which was a house coal seam. The hard coal mine worked all the year round, and the soft coal mine only for five or six months a year. Under the Bill would it be possible to have an extension of time for sixty days both for the hard coal and the soft coal? It was important to remember that there were two shafts, which were common to both seams, but the men signed on for the upper or the lower mine as the case might be. The house coal was worked only during the winter months, and it would be those men who ought to have the longer hours, but, if the extension was confined to the hard coal, then it would be impossible for them to take advantage of this clause. As far as he could remember this point was missed in Committee, and it was one to which the Government ought to give consideration. If they would promise to do so when dealing with the matter in another place he for one would be content. If the clause was to remain in the Act they should make it workable. If he wished to disobey or evade the law, he would, as the clause stands, be able to do so.

***MR. HERBERT SAMUEL**: May I mention in a word a provision in the Coal Mines Regulation Act of 1887, which provides that where two or more parts of a mine are worked separately the owner, agent or manager of the mine may give notice in writing to the inspector for the district, and unless the Secretary of State objects on the ground that the separation is intended to facilitate evasion of the Act, each part shall thereupon be held to be a separate mine. Separate mines for the purpose of the Coal Mines Regulation Act will be separate mines under this Bill. But if an owner is freely allowed to work his men overtime sixty days in one part of a mine, and then transfer them and work them sixty days overtime in another part of the mine, it will be possible to evade the Act.

*MR. BECK said he was very sorry, but he must add his voice to the appeal made by hon. Gentlemen opposite. He had been all along working on behalf of the coal consumers, not, be it understood, the Coal Consumers' League, for he knew nothing of that body. He must press for this Amendment to be accepted. If it was not, and hon. Gentlemen opposite went to a division, he must vote with them.

Question put.

The House divided :—Ayes, 20 ; Noes, 88. (Division List No. 451.)

AYES.

Balfour,RtHn.A.J.(City Lond.)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Beck, A. Cecil
Bowles, G. Stewart
Burnyeat, W. J. D.
Cecil, Lord R. (Marylebone, E.)
Cory, Sir Clifford John
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Houston, Robert Paterson
Hunt, Rowland
Lambton, Hon. Frederick Wm.
Lupton, Arnold
Markham, Arthur Basil
Mason, James F. (Windsor)
Rawlinson,JohnFrederick Peel
Renwick, George
Valentia, Viscount

TELLERS FOR THE AYES—Viscount Castlereagh and Mr. Fell.

NOES.

Abraham, William (Cork,N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Allen, A. Acland (Christchurch)
Barnes, G. N.
Beale, W. P.
Benn,W.(Tow'rHamlets,S.Geo.
Bowerman, C. W.
Brace, William
Buchanan, Thomas Ryburn
Burt, Rt. Hon. Thomas
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clough, William
Cochrane, Hon. Thos. H. A. E.
Corbett,CH.(Sussex,E. Grinst'd
Crean, Eugene
Crooks, William
Crossley, William J.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duncan, C.(Barrow-in-Furness)
Edwards, Enoch (Hanley)
Evans, Sir Samuel T.
Fenwick, Charles
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Glover, Thomas
Hall, Frederick
Hardie,J.Keir (MerthyrTydvil)
Harmsworth,R.L. (Caithn'ss-sh
Harvey,W.E.(Derbyshire, N.E.
Haslam, James (Derbyshire)
Hodge, John
Hogan, Michael
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Johnson. W. (Nuneaton)
Joyce, Michael
Kekewich, Sir George
Kettle, Thomas Michael
Lea,Hugh Cecil (St.Pancras,E.)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Macdonald,J.M.(Falkirk Bg'hs)
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
MacVeigh,Charles (Donegal,E.)
M'Hugh, Patrick A.
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Murphy, John (Kerry, East)
Nannetti, Joseph P.
Nolan, Joseph
Nussey, Thomas Willans
O'Brien,Kendal(Tipperary Mid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Doherty, Philip
Parker, James (Halifax)
Ponsonby, Arthur A. W. H.
Richards,Thomas(W.Monm'th)
Roberts, G. H. (Norwich)
Samuel,Rt.Hn.H.L.(Cleveland
Seddon, J.
Shackleton, David James
Shipman, Dr. John G.
Stanley, Albert (Staffs, N.W.)
Staveley-Hill, Henry (Staff'sh.)
Steadman, W. C.
Thompson,J.W.H.(Somerset,E.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward,John (Stoke-upon-Trent)
Wason,JohnCathcart (Orkney)
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

*MR. BECK moved an Amendment to extend to ninety days the period in which overtime might be worked, which in the Bill stood at sixty days. He believed the Amendment would be in the interests of coal consumers and of the older mines, and, moreover, it was moved in Committee by the hon. Member for Gloucester who, as they all knew, was the Chairman of the Departmental Committee. He thought the hon. Member's weighty speech that afternoon, in which he warned them of the serious effects which would accrue if the Bill became law too abruptly, had shown that the least that they could do was to provide some means by which they could defer those effects. The Amendment, by giving ninety days instead of sixty, would do something in that direction.

Mr. HICKS BEACH seconded this Amendment, because it was moved in Committee upstairs by the Chairman of the Departmental Committee, who considered it to be a very sound proposal. In this safeguard, he thought, lay the only salvation for the older mines of the country. He could not help thinking that if the Bill passed in its present form, and one winding of eight hours was approved, it would be the ruin of the older mines. He believed that the sixty days exemption was put in to save some of those older collieries, and if they were going to assist them surely it would do no harm to make the exemption ninety instead of sixty days. If the men did not wish to work the extra thirty days which it was proposed to add they had a strong enough federation to enable them to resist any attempt which might be made to make them do so. He hoped the Government would accept the Amendment.

Amendment proposed—

"In page 4, line 13, to leave out the word 'sixty,' and to insert the word 'ninety.'"—(*Mr. Beck.*)

Question proposed, "That the word 'sixty' stand part of the Bill."

Mr. GLADSTONE: Originally this exemption was thirty days of two hours, but it was altered to sixty days of one hour. We cannot go further than that. We deem this period sufficient, and there is already a very strong objection to the clause as it stands. I would also point out that, whatever figure you put in, it depends on the mutual co-operation of workmen and employers whether it becomes operative.

Mr. BECK asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Mr. FELL moved to amend Clause 4 by providing that His Majesty might, by Order in Council, temporarily suspend either wholly or in part, the operation of the Act, in the event of a rise occurring in the price of household coal to the extent of 5s. above the average price of the preceding three years. He said that the case covered by the Amendment did not very often happen, but it had happened something like every ten years or more, and when it did happen it occasioned immense distress. This was the only clause in the Bill which was really the concern of the consumer and no one else. It was for the benefit of all the large number of consumers of household coal that he moved the Amendment. Every now and then, for some reason or other, the price of household coal rose, and that created the greatest hardship amongst all the poor, and among the middle classes. He proposed that when the price rose to the extent of 5s. above the average price of the preceding three years, the Home Secretary should have power to intervene, and to suspend in respect of the coal mines of the country, or of any district, the operations of the Act. That would be an immense boon to the consumers in the country, and would do little harm to anyone else, because both masters and men would, in such circumstances, be making fine profits. The hardship which would be entailed on the men was nothing to what they had endured up to the present day, and the benefit given to the consumer would be so great that it would more than counterbalance any hardship to the workmen at certain collieries. The Amendment would enable the Home Secretary, by giving collieries power to work longer at such a time of commercial crisis, to come to the assistance of the general public by suspending the Act for a limited time.

Mr. BOWLES said he had great pleasure in seconding, and he was not altogether without hope that the Amendment would be accepted. He thought there was some hope that Gentlemen below the gangway, who sat there in solid opposition to the consumer of coal, would in this case show some little consideration for that large and suffering class. They had on the one side the interest of a small section of the community and nothing else; on the other side the interest of the whole mass of the people and particularly of the poorest class. The Amendment proposed that where the price, not of steam coal or coal used in other ways, but of household coal which, as hon. Gentlemen in all quarters of the House knew, was a matter that mainly concerned the poorest classes in the country, rose above a certain level, the Home Secretary should step in. They asked on behalf of the community of household coal, some mercy from Gentlemen below the gangway. He really thought the Government might show some tenderness for the consumer in this case. They had done in other cases. He did not know whether his hon. friend had any figures. He did not suppose the case would arise often, but it would be serious in such a case as the Amendment supposed, and would certainly occasion great distress. Unless the Government and Gentlemen below the gangway were prepared to say that at a moment like that they were ready to look on and profit by the distress of the consumers of household coal, they would accept the Amendment or something like it. It was because he could not really believe that either Gentlemen below the gangway or the Government wanted to do that that he was not without hope.

Amendment proposed—

"In page 4, line 27, after the word 'time,' to insert the words 'or a rise in the price of household coal to the extent of 5s. above the average price of the preceding three years.'"—(*Mr. Fell.*)

Question proposed, "That those words be there inserted."

*MR. HERBERT SAMUEL: The hon. Member said that a rise in the price of coal would be a symptom of grave commercial crisis. That being so the case is already provided for by the Bill. The clause provides that His Majesty may in the event of war or of imminent national danger or great emergency, or in the event of any grave economic disturbance due to the demand for coal exceeding the supply available at the time, by Order in Council, suspend the operation of this Act to such extent, and for such period as may be named in the Order either as respects all coal mines or any class of coal mines. Further, the Amendment proposes no machinery for ascertaining prices. Of what classes and in what districts are prices to be taken? These matters are left uncertain. If there is a case at all for an Amendment of this character, I do not see that it should be limited to household coal, because the distress of the people might be increased as greatly by a rise in the price of coal for industrial purposes as by a rise in the price of household coal. Therefore, there is no reason for discrimination between the two. Lastly let me point out that this clause as it stands is a very unusual clause. It gives power by Order in Council to suspend an Act of Parliament. That is a very exceptional power indeed, and I think it should only be in the gravest cases of national emergency that Parliament should enable it to be used.

MR. RENWICK said the Under-Secretary had stated that was an exceptional clause. The whole Bill was a most exceptional Bill, and it was because he wanted a clause in the Bill that someone could understand that he supported the Amendment. If there was no limit of the description of the Amendment put in they would have to argue as to when a grave economic crisis had arisen. To his mind the case supposed would be a grave economic crisis in the lives of many poor people. He would not have risen to take part in the discussion on the Amendment had it not been for the jeers of hon. Gentlemen below the gangway. The Amendment was designed to enable the poorest consumers to get coal to keep themselves warm in their houses, and yet they had Labour Members laughing and jeering when it was proposed at a certain point to give them an opportunity of having the price of coal kept down in order that they might do that. The Under-Secretary said: "If household coal, why not manufacturing and steam coal?" He would tell him. With manufacturing and steam coal the users of these classes had an opportunity of raising the price of the commodity they provided correspondingly with the increase in the cost of production. It was not so in the case of poor people. Therefore he thought hon. Members beyond the gangway might restrain their jeers and laughter.

MR. KEIR HARDIE said this sudden development of sympathy was most interesting. He could only wish that it took a more practical shape when matters affecting the poor were before the House. The object of the Amendment was ostensibly to protect the poor man against an increase in the price of coal. The poor in the past and in the present had had to suffer very considerably from increase in the price of coal, and he was not aware that either of the hon. Gentlemen who had spoken ever took any active steps to assist the poor against the extortion now practised upon them. The hon. Member for Tewkesbury would probably remember a speech made by his illustrious father when he was Chancellor of the Exchequer during the Boer War in which he pointed out that in one year the colliery owners and agents of this country, including probably the Member for St. Ives, pocketed the sum of £30,000,000 sterling in excess of the average profits yielded from the trade. There was no protest then about extortion from the poor. If hon. Gentlemen were so anxious to protect the poor he would make them a sporting offer. The late Mr. Seddon of New Zealand, when he found the poor were being robbed by private colliery owners and agents, established State mines from which the coal was supplied at cost price and a check thereby put upon the extortion. If hon. Members really wanted to protect the poor, let them join in a crusade to nationalise the mines and minerals of the country. Then the interests of the poor would be protected. But they jeered from the Labour benches at the arrant hypocrisy of men who on every occasion when the interests of the poor were really at stake came there and pretended to be in favour of an Amendment which everybody knew was not meant to help the poor, but to keep the poor collier working longer than the Bill permitted.

LORD R. CECIL said they had just listened to what was a very remarkable speech to address to the House at that hour. He could not see that the greater part of the speech had any very close relevancy to the Amendment. With the greatest respect to the hon. Gentleman he must decline to enter upon a discussion as to whether or not the nationalisation of the mines of the country would be ultimately in the interests of the poor. He knew it was quite hopeless to endeavour to induce hon. Gentlemen who held the views of the hon. Member who had just spoken to believe that anyone except themelves and their immediate colleagues could have the interests of the poor at heart. They had so often said that they, and they alone, represented labour that possibly they had themelves come to believe it. The real point of the matter was whether they should give any indication to the Home Office as to what was meant by a serious economic disturbance. If he understood the Amendment aright, what was proposed was that if household coal went up 5s. a ton that really meant a serious economic disturbance, and that, therefore, in that event, the Government of the day ought to interfere. He thought there was something to be said for the view that they ought to give some indication to the Home Office of what was intended by the words "serious economic disturbance." It would be a very difficult thing for the Home Office to exercise powers under the Bill. There would be tremendous pressure by the "friends of the poor" to prevent any disturbance of the Act, and he should have thought the Government would have been disposed to agree that some kind of indication to the Home Office would have been of value in connection with that proposal. If the Government would give an assurance that they would consider the giving of ome indication of what was meant by a serious economic disturbance he should think his hon. friend would be satisfied and would not press the matter any further.

*SIR C. J. CORY said he had had no intention of taking part in the discussion on the Amendment until the hon. Member for Merthyr Tydvil thought fit to reproach the coal owners, and to introduce his name, for having, as he had said, extorted high prices from consumers and obtained extravagant profits. He had sat for a good many years on the old joint sliding scale committee, and more recently on the Joint Conciliation Board, and he remembered on many occasions hon. Gentlemen representing the colliers blamed the coal owners for underselling one another and giving their coal away too cheaply, thereby doing the miners out of the higher wages they would have got had the prices been kept up. He, therefore thought it came ill from those hon. Gentlemen to accuse coal owners of endeavouring to put prices up when, if they undersold each other, the representatives of the miners were the first to reproach them. He thought that was a reply which he should be permitted to make.

Amendment negatived.

SIR F. BANBURY moved an Amendment to Clause 6 to omit the penalising of any person for permitting any other person to contravene or fail to comply with the provisions of the Act. He asked the Solicitor-General if the owner or the manager could prove that he was really taking the proper precautions he would be exempt from the penalty.

MR. BOWLES, in seconding, said the plea which had been made that a similar provision, making a man guilty of an offence if he permitted certain infractions of the Act of Parliament, had already been made in the Coal Mines Regulation Act was really no plea at all. The Coal Mines Regulation Act, and that particular provision of it especially, was an Act for maintaining the precautions absolutely essential to the lives and safety of the men employed, and this provision did not apply to the whole of the regulations. It applied to the obligation upon employers to carry out rules definitely made with regard to certain things. There were to be such and such pumps, such and such ventilation arrangements, and this, that, and the other arrangement, and if they did not comply with, or if they permitted anybody to fail to comply with them, they were to be liable to a penalty. It was an entirely different thing in principle and essence from the first proposal. This was a Bill to interfere between master and man in a way that had never been done before, setting up machinery and imposing a penalty upon a man, not merely for failing to carry out the details of that machinery, but even for permitting any other person to make one of the innumerable slips that might occur. That was a thing totally unprecedented in the history of legislation in this country and one in regard to which the plea about the Coal Mines Regulation Act had no force whatever. The thing was unjust. If the Home Secretary or the Solicitor-General could show them either that this has been done before, or that it was essential for the carrying out of the Act that these words should be put in, they would then have something to go on, but at present they had nothing.

Amendment proposed—

"In page 5, line 2, to leave out the words 'or permits any person to contravene or fail to comply with.'"—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR S. EVANS: If these words are allowed to remain in there will be no injustice to anybody. If the Act becomes law a case such as the following might very well arise. Supposing these words were omitted a lot of men might go to the manager and say: "We know the Act of Parliament, we do not mind doing a certain thing ourselves: do you object?" and the manager says: "You can do as you like." Do you say that in that event it will not be right to subject the owner or manager of the mine to a penalty? The hon. Member for Norwood, referring to that part of the provision in the Coal Mines Regulation Act, said that it was a different kind of provision because it refers to various rules that have to be carried out and which are set out in that Act. The section to which I refer is an employers section dealing with the register, the employing of boys and girls and women underground, and so on. Obviously the owner would not in any case have to keep the register, but nevertheless, if he permitted that not to be done under the section of that Act, the words of which are reproduced in this particular clause, he would be liable to a penalty. Immediately an owner shows that he has published the necessary regulations as to raising, lowering, etc., supplied the workers with a printed statement, and done his best to enforce the regulations, he cannot be hit under this section for the offence of permitting a person to contravene or fail to comply with the Act. Without these words, to all intents and purposes, so far as the owner, manager, and agent are concerned, the Act would be a dead letter.

Amendment, by leave, withdrawn.

Lord R. CECIL moved to leave out the words 'for which a special penalty is not provided.'" He wanted to know what exactly was the force of these words. Did it mean that this section only applied in a case where a special penalty was not provided? He did not understand that that was so. The clause read—

> "If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with any provision of this Act for which a special penalty is not provided he shall be guilty of an offence against this Act."

Why was this confined to cases for which a special penalty was not provided?

Mr. HICKS BEACH seconded the Amendment.

Amendment proposed—

> "In page 5, line 3, to leave out the words 'for which a special penalty is not provided.'"—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir S. EVANS: My answer to the noble Lord is that this refers to Clause 2 where the noble Lord will see by subsection (3) it is provided that a special penalty shall apply. This is the general penalty clause.

Lord R. CECIL said, he did not question why this should be an offence. His point was, why should it be an offence to permit a person to make a false entry in the register, but should not be an offence to permit a person to commit other acts?

Sir S. EVANS: We have passed that. I thought the noble Lord was merely asking the meaning of these particular words. These words are put forward here to deal with the particular case that has been mentioned.

Lord R. CECIL said that if these words were not inserted, nobody would be guilty of an offence if he permitted a false entry to be made. As evidently there was no answer to that, he asked leave to withdraw the Amendment.

Sir S. EVANS: There is an answer. It is an offence to permit a false entry to be made under Clause 3.

Mr. MARKHAM asked, was there any precedent in any Act of Parliament for a person making a false entry to be liable to a fine of less than £25?

Sir S. EVANS: When that matter arises in its proper place I shall be prepared to deal with it. It is a matter which has been dealt with already.

Mr. MARKHAM asked when was the proper place. He was not quite sure which Amendment they were now discussing.

Sir S. EVANS: I rise to a point of order. Is it in order to discuss the whole penalty when only this particular penalty is under discussion?

*Mr. DEPUTY-SPEAKER: No, it is not.

Amendment, by leave, withdrawn.

Sir C. J. CORY moved to amend subsection (*a*) of Clause 6 by leaving out from the word "offence," to the end, and inserting the words "unless it is proved that he wilfully prevented or attempted to prevent such workmen from observing the provisions of this Act, or failed to afford reasonable facilities for such observance." The clause would then read: "The owner, agent, or manager of the mine shall not be guilty of an offence unless it is proved that he wilfully prevented or attempted to prevent such workmen from observing the provisions of this Act or failed to afford reasonable facilities for such observance."

On Clause 6, subsection (1) on the previous night, the Government were good enough to agree to leave out the words "or be allowed." Before they gave way in that respect they said that if an employer published the regulations and supplied to each workman a copy he would have done all that was required of him, and he would not be liable under Clause 1. This Amendment, he thought, would bear out what the Government told them on the previous night. The employer had to publish the regulations as to the raising and lowering of the men, by posting them at the pit-head and supply a copy to each workman who made application for it. As the clause stood amended the employer had first to publish then to supply copies. Beyond that what could he do to enforce these regulations if he had afforded all reasonable facilities for the men to comply with the Act? He could not go into the mine and make a man come out. All that was required was that he should publish and supply copies of the regulations. That being the case, it was only reasonable that the Government should accept this Amendment which only carried out what the Government agreed to on the previous night. When the Bill was in Committee the Home Secretary had said that the owner complied with the law if he provided the necessary facilities for the men to come up out of the mine. If he made regulations, published them, and supplied the men with a copy, after providing the necessary facilities for the men to come up, he surely had done all that he reasonably could be required to do.

Mr. HICKS BEACH seconded the Amendment.

Amendment proposed—

"In page 5, line 9, to leave out from the word 'offence,' to the word 'and,' in line 16, and insert the words 'unless it is proved that he wilfully prevented or attempted to prevent such workmen from observing the provisions of this Act or failed to afford reasonable facilities for such observance.'"—(*Sir Clifford Cory.*)

Question proposed, "That the words proposed to be left out, to the word 'publishing,' in line 10, stand part of the Bill."

Sir C. J. Cory.

Sir S. EVANS: It is absolutely impossible for the Government to accept this Amendment. What my hon. friend suggests is that if the owner makes regulations, publishes them and supplies a copy to the men, he cannot be found guilty of any offence. It is futile to ask us to accept an Amendment of that kind. Supposing the regulations have been made, printed and published, and supplied to the men, the manager can say "There are the regulations, no offence at all can be proved against me." Let me refer once more to the Coal Mines Regulation Act, 1887, dealing with all the rules with which my hon. friend is so familiar. One of them says that if any person contravenes these rules the owner or manager shall be guilty of an offence unless he can prove that by all reasonable means, by publishing the rules and informing the men about them, he has done his best to prevent an offence.

Sir C. J. CORY said that was all very well as regarded safety, but would the Solicitor-General tell him what the employer was to do to enforce those regulations to the best of his power? How was he expected to enforce them? Was he expected to go and drive the men out of their places, or could he do anything beyond publishing the regulations and giving the men notice? If after that they would not come out how was he to get them out?

Lord R. CECIL asked whether the Solicitor-General had realised what the Amendment was that the hon. Member had moved. He did not quite follow what the hon. Member himself had said, but he understood that he was moving the Amendment at the suggestion of the hon. Member for Mansfield.

Mr. MARKHAM: My suggestion?

Lord R. CECIL: Yes.

Mr. MARKHAM: I am opposed to this Amendment.

Lord R. CECIL said the Amendment was not open to the criticism the Solicitor-General had just directed at it. He had an Amendment on the Paper, but he did not intend to move it if he could make the point he wanted to make clear. What he desired was that there should be no ambiguity about the words which required the owner to enforce the Act. He knew the wording of the Coal Mines Regulation Act, but he thought it applied mainly to the provision of apparatus which it really was in the power of the owner to see to, and which he must properly supply. That did not apply to this Act, and here they had to find some means of enforcing the Act. He did not think it could be asked reasonably that the owners should do more than give notice to the men of what the Act was, and afford to them every facility for complying with the Act. That was what he understood the Home Secretary himself said in Committee, and he did not see what more they could ask. To put in words about enforcing the provisions of the Act was to use language not appropriate to the kind of obligation put on owners. What they wanted the owner to do was to give facilities for the observance of the Act. If they wanted to do that why not say so? That was what the Amendment did say. He would have thought it would be much clearer and much less likely to lead to occasional cases of hardships and questions of disputed construction. It was not germane to the particular discussion to say that the words existed in a previous Act of Parliament. They were particularly appropriate there, and they did not appear appropriate in this Act. What were the other steps they wanted the owner to take besides affording reasonable facilities?

MR. SHACKLETON: It is done every day in the week.

LORD R. CECIL: What is done? What steps?

MR. SHACKLETON: Enforcement.

LORD R. CECIL said that hon. Members who spoke with appearance of knowledge and said it was done every day in the week did not say what steps were taken. He thought it was much better to have specific words saying what they meant. What was wanted was that an owner should be bound to give all facilities. Otherwise they had the proper remedy, that an inspector might take proceedings against anyone who was to blame. When the owner had given all facilities proceedings should be taken against the men.

MR. WALSH said that at the risk of detaining the House for a few moments longer he would like to answer one or two of the questions asked by Gentlemen above the gangway. It was asked first of all, what the Amendment meant. The Amendment provided that unless it was proved that an owner wilfully prevented, or attempted to prevent, workmen from observing the provisions of the Act or failed to afford reasonable facilities for its observance, he would be exempt from blame. That meant that unless the owner or agent had taken the positive step of preventing men coming out they would be held to have complied with the Act. Now in every case the principle of devolution applied in the mine. There was the owner, the agent or manager, the overman, and the deputy or fireman, and upon all these a definite responsibility was saddled. It was the duty of the overman in the mine to tell the fireman that at, say, two o'clock the district over which he acted must be cleared. That did not mean that the fireman was to take the men out on his back. What he had to do was to let the men know what time of day it was, and that it was time to get out and leave working at the "face." When he did that his responsibility was taken away. Surely that was a great deal more in consonance with the provisions of the Bill than the proposition of wilful contravention. The Amendment would simply require that the owner, agent, or manager, or any of the officials appointed on their behalf, should take up a negative attitude, and let things stand alone. That would doom the measure to impotence. He had endeavoured, he did not know with what satisfaction, to give the explanation he conceived was desired, and he hoped it would be found satisfactory.

SIR S. EVANS: The noble Lord who moved the Amendment proposed not to move another he has later on the Paper if I answered his question. He asked what more a manager had to do than to publish regulations. According to the section he must do his best to enforce the regulations. I will take an illustration. Supposing a manager of a mine knew there were fifty men underground contravening the Act of Parliament. If he does nothing it is clear he is not doing his best to enforce the Act. It is his duty in such a case to go to the men and say: "You are contravening the Act and you may land me in for a prosecution." Take another case. A man says he is going to work longer than he is allowed by the Act. It the owner does not warn that man or threaten him with prosecution or dismissal and give information to the inspector, he is not doing his best to enforce the Act. Merely to provide as the Amendment does against wilful contravention would not be enough. According to the noble Lord it would be enough to say that the owner of a mine satisfied the requirements of the Act by affording reasonable facilities for obedience to it to the men under his charge. As to affording facilities it is affording facilities to provide that a cage should be there. There has been complete evasion of the law in France because the owners in respect of such a provision did put a cage at the pit and said: "There is a cage, you can come up." If we accepted the Amendment the Act would be evaded every day of the year. Our own proposal is perfectly reasonable. The colliery owner has to do his best to enforce the regulation. If he does not do his best to have the regulations carried out we hold him guilty of contravention.

SIR C. J. CORY said he wanted to put one question to the Solicitor-General. He said the remedy of the owner was to dismiss a man summarily.

SIR S. EVANS: I did not.

*MR. KEIR HARDIE said that in reference to the last point of the Solicitor-General's statement that in France provision was made for the men to come up by putting a cage in readiness, the men who took the lead were so victimised and the rest were so terrorised that the Act often became a dead letter.

MR. J. F. MASON: Do I understand that the method of enforcement is by prosecution?

SIR S. EVANS: I am very sorry I have not made myself clear. Employers are to enforce the Act by the best means in their power. What I said was that if they allowed constant contravention of the Act and did not warn a man, or threaten to dismiss him, or in the long run dismiss him, or did not prosecute him, or did not give information to the inspector, it was perfectly obvious they were not using the best means in their power for enforcing the Act.

SIR C. J. CORY: The right hon. Gentleman has repeated that the remedy of the owner is to dismiss the man.

SIR S. EVANS: No.

SIR C. J. CORY: Then I do not understand language.

Amendment negatived.

MR. GLADSTONE moved an Amendment requiring owners to "make" as well as publish and enforce regulations.

Amendment proposed—

"In page 5, line 10, after the word 'by' to insert the word 'making.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. GLADSTONE formally moved an Amendment substituting for the description of the regulations given in the clause as "regulations as to the times of raising and lowering the men referred to in Section 1, subsections 4 and 5 and supplying to each workman who makes application a printed statement of the said regulations to prevent the contravention or non-compliance," the words "regulations for securing compliance with the provisions of this Act."

Amendment proposed—

"In page 5, line 11, to leave out from the word 'regulations' to the word 'to' in line 15, and to insert the words 'for securing compliance with the provisions of this Act.'"—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. LUPTON moved an Amendment providing that the total amount of penalties inflicted under the clause upon the owner, agent, or manager in respect, of offences committed at any one mine during twenty-four hours should not exceed a total of £25. He said the Amendment was of a similar kind to that which he brought forward a little time ago. The reason for it was so simple, so clear, so overpowering, that he did not think the Solicitor-General could refuse it. If the owner, agent, or manager of a mine committed an offence they were only liable under this clause to a fine of £2. But the extraordinary thing about the Bill was that if the owner was proved innocent he might then be indicted for a fine of £2,000. Suppose 100 men delayed to come up. If those 100 men were prosecuted and they alleged in self-defence: "It was not our fault that we were delayed in the mine: it was the fault of some arrangement made by the manager, running the hauling machinery when he should not have done so and not winding the winding machinery as he should have done." If they proved that, then those 100 men were innocent and had committed no offence, but the manager, or whoever it was who allowed the machinery to run when it ought not to have run, was liable to a penalty of £2. That was a very moderate penalty, and he had no fault to find with it, but if those men made the same plea, but the manager proved satisfactorily that the hauling machinery was stopped and the winding engine was running, and that it was entirely and deliberately the fault of the men that they stopped in the pit, then each one of those 100 men might be fined 10s. He assumed that they were fined 10s. Under this Bill the owner, agent, or manager of those 100 men, each of them having committed an offence, had himself committed an offence, and was now liable to be indicted for a penalty of £2 in the case of each one of these men. The owner or agent having proved himself innocent was liable to be indicted for a penalty of £200. That was a monstrous proposal to pass into law. He supposed it would be said that no one would be so wicked as to sentence an innocent mine manager to this penalty, but why should magistrates and Judges be so much cleverer and wiser than Parliament, and have so much better knowledge of the law than His Majesty's Solicitor-General? Having regard to human nature they should limit the penalty; the agent or manager who was either guilty or innocent should not be liable to a greater total of penalties than £25 for any one mine in a period of twenty-four hours. That agent or manager should be able to sleep soundly in his bed and not wake up to find himself a ruined man owing to the action of that House.

Amendment not seconded.

*MR. HICKS BEACH moved to insert a provision that the Bill should not apply to the mines situate in the Forest of Dean. After explaining that he had no personal connection with the Forest of Dean, the hon. Member quoted passages from the Report of the Parliamentary Committee, recommending that in certain classes of mines, such as the household coal mines in the Forest of Dean, the difficulty attending the reduction of hours would be so great that it might be necessary to make special regulations. The Home Secretary had put in an Amendment to the Bill to meet the case of South Staffordshire, and he asked the right hon. Gentleman to consider what would be the effect of the Bill in the Forest of Dean. Mr. Brain, in giving evidence before the Committee, based his evidence on a bank to bank Bill, and he estimated that the increase of cost in the production of coal in the Forest of Dean would be 3s. a ton, and as the net profit of the mines then working was about 6d. a ton, he declared that consequently a bank to bank Bill would ruin the older collieries in the district, and they would be forced to close down. The same Gentleman calculated that when the present Bill came into full operation in five years the cost of working would then be increased by 1s. 8d. a ton, which would mean that all these coalpits would have to be worked at a loss. The natural result would be that the collieries would be closed down, and the colliers would lose their employment. That, he thought, was a very serious prospect. It had been asserted that the owners and miners were quite prepared to accept the present Bill, but he had telegraphed to the representatives of the owners to know whether they were really in favour of the Bill or not, and he got a very definite reply from the secretary of the Owners' Association to say that they were not in favour of any Bill which included one winding in the eight hours. The chairman of the Owners' Association also telegraphed to him that he had spoken to Mr. Rowlinson, the miners' agent, who said he was in full agreement with him as to the necessity of both windings being outside the eight hours.

SIR CHARLES W. DILKE interposed and said that Mr. Rowlinson had come up to London to see the hon. Member in opposition to this Amendment; and had failed to find him, but had left a letter for him.

*MR. HICKS BEACH said he had received no letter from Mr. Rowlinson, and read the telegram he had received for the Owner's Association.

SIR CHARLES W. DILKE said that he did not intend to contradict the hon. Member.

MR. HICKS BEACH said that according to the evidence before the Committee, that was the only class of Eight Hours' Bill that would suit the Forest of Dean. Reading the evidence before the Committee he could not help coming to the conclusion that unless both windings were excluded from the eight hours limit it would be the ruination of the colliers in the Forest of Dean, and also of the allied trades.

Amendment proposed—

"In page 5, line 34, at the end, to insert the words '(2) This Act shall not apply to mines situate in the Forest of Dean.'"—(*Mr. Hicks Beach.*)

Mr. Hicks Beach.

Question proposed, "That those words be there inserted."

MR. GLADSTONE: I may say that since the Committee reported I have had no representations from the Forest of Dean in regard to this matter. The miners themselves of course took a certain view upon a bank to bank Bill. So far as I know they are in support of this Bill. As regards the employers they have not communicated with me. Had they foreseen this ruin owing to this Bill I presume they would have made a special representation. I have had special representations from other quarters, but not from the Forest of Dean. I have no reason whatever to think that this Bill would injuriously affect them. The pits produce house coal and the demand is very slack in the summer. These men for the most part have considerable gardens and occupy themselves in that respect in the summer. As regards the winter when there is a demand for house coal, I maintain that the provision in the Bill allowing sixty days in the year on which overtime may be worked would amply meet the case.

SIR CHARLES W. DILKE said the only thing to be added to what had been said was that there had been nothing said about overtime in any agreement. Of course, it did make an essential difference, but the men had never asked for overtime. He could not support the Amendment.

*MR. HICKS BEACH said there was a very, very strong recommendation in the Departmental Committee's Report, and he was very much surprised that the Government had not taken some action; but if he understood that the right hon. Baronet would vote against the Amendment he would not press it to a division.

SIR CHARLES W. DILKE indicated assent.

Amendment negatived.

MR. GLADSTONE proposed that in the case of mines situated in Durham and

Northumberland the date on which the Bill shall come into operation shall be January 1st, 1910, instead of July 1st, 1909.

Amendment proposed—

"In page 5, line 35, after the word 'operation' to insert the words 'as respects mines in the counties of Northumberland and Durham on the first day of January, nineteen hundred and ten, and elsewhere.'"

Question proposed, "That those words be there inserted."

*SIR C. J. CORY said he thought if the right hon. Gentleman granted this to Northumberland and Durham he certainly should grant it to the coalfields all round. It would be very unfair to South Wales and Monmouthshire if the Government gave an advantage to Northumberland and Durham, who were their great competitors. In South Wales two-thirds of the contracts were made from January to January, and, therefore, if the Act came into operation in the middle of the year it would make it inconvenient for everybody, and very hard to carry out the contracts without a very heavy loss. Then the agreements with the men ended on 31st December, 1909, and if the Act came into operation in the middle of that year, great difficulties would arise. If the Government would allow the Act to come into operation at the beginning of the next year it would enable the employers and the miners to discuss some arrangement to provide for the altered conditions under the Act, in the new agreement. He hoped the Government would see its way to grant that this extension which it now proposed for Northumberland and Durham should be extended to all collieries.

MR. RENWICK said he was pleased to hear from the Home Secretary that at last he had realised that Durham was entitled to some special consideration under this Bill. He thanked the right hon. Gentleman for the very slight concession which he had made, but he was far from satisfied with the extension of six months, which was utterly inadequate for reasons which he was extremely sorry to have to explain to the House at that late hour on a Friday night. It was not their fault that all through their debates they had been without the aid which he had quite expected they would have from the miners' representatives of Northumberland and Durham. He was the only Unionist representative, and at the time that he was returned this Bill was before the House, but when those hon. Members who had been silent throughout the whole debate were elected they were hostile to the Bill. That fact made a very great difference. He was sure that in Northumberland and Durham and throughout the country generally consumers were perfectly willing to make sacrifices if they thought that those sacrifices were for the benefit of the miners, either from the point of view of safety or pecuniarily. But they were in the extraordinary position of being called on to make their sacrifices while at the same time they were told by the miners' leaders that the men were not going to benefit by them. They were told by the miners that it was going to be absolutely impossible to carry on the trade of Northumberland and Durham if this Bill was passed. The miners of these counties were opposed to three shifts. They would work two shifts, but they refused to work a night shift. Therefore it was almost impossible to carry on the measure If the Bill was passed they recognised that by some means or other they would have to find more men for carrying on the trade. The extra six months which was granted to them was, however, utterly inadequate. They had two shifts of hewers and one shift of boys to carry on the work, and they were told by the hon. Member for Wansbeck that every hewer's place in the country was filled. They were also told that no hewers would come into the country unless they could get employment promised to them. They would have to import boys from the outside districts to work as boys from the age of thirteen to eighteen or nineteen, and then when they had served their apprenticeships in the mines there would be no place for them, and they would be turned out to swell the ranks of the unemployed. That was a gross case of exploitation of boy labour, and in view of the speeches which had been made recently against the exploitation of boy labour, he was surprised at the leaders of the Labour Party advocating it. There were sentimental reasons which made some people think that they ought not to work these boys in the mines for ten hours a day, but that had been dealt with by several hon. Members in this House.

MR. MARKHAM: You have never defended it.

MR. RENWICK said the hon. Member for Morpeth had defended it and he had supported him. It had been pointed out that physically no harm was done to these boys. The law protected them until the age of sixteen by providing that they should not work more than ten hours a day, and over that age by providing that they should not work more than ten and a half hours a day. The hon. Member for Wansbeck had told them that he went into the mines at the early age of ten, and judging by his appearance, and the appearance of the hon. Member for the Rhondda Valley, no physical harm was done. They wanted extra time to enable them to find the extra boys to carry on the work under the altered conditions, and they could not do that in six months or in five years. He acknowledged that the birth rate in the counties of Northumberland and Durham was commendably high, but in the short time that he had mentioned it was impossible to get these extra boys. The Home Secretary had given away his whole case by acknowledging that Northumberland and Durham were entitled to extra terms and they appealed to him to give them more time still. This time was quite insufficient. He had an Amendment on the Paper that the Act should not come into force till 1920. Possibly that was a little unreasonable, but he appealed to the right hon. Gentleman to be a little more generous to this industry in the North of England. They were entitled to it and he thought they ought to have it. He was entitled to ask the representatives of those counties, and especially the representatives of the miners, to assist in the appeal which he had made. If it was true, as hon. Members had told them, that there would be a dislocation of trade, they feared there would be a great increase in prices and a great scarcity of fuel. If that would not be the case let hon. Members who said it would not rise in their places and say so.

MR. JOSEPH WALTON (Yorkshire, W.R. Barnsley) said that, not having intervened in the debates on the Bill, perhaps as a colliery owner in Northumberland and Durham he might be allowed a moment or two to say that to his knowledge his hon. friend the Member for Newcastle had been guilty of very considerable exaggeration. He could quite understand the hon. Member's opposition to the Bill, for at the Newcastle election he had seen what magnificent assistance he was receiving from the Coal Consumers' League. He saw a procession in which were huge sacks of coal marked "Renwick," and small sacks of coal marked "Short," and placards saying that the price of coal would be raised 5s. a ton after the passing of this Bill, and, therefore, the electors must vote for Renwick and not for Short.

MR. RENWICK said he would like to say in justice to himself that he had nothing whatever to do with that. He never, in all the speeches that he made, said that coal would rise in price 5s. a ton, for he did not think that it would.

MR. JOSEPH WALTON said he was glad that the Government had agreed to postpone the operation of the Act till January, 1910, for Northumberland and Durham, for it was perfectly true that in many of the collieries very important changes would have to be made in the plant and machinery which would not be necessary in other collieries, and, therefore, they were glad to have the extra time for making these changes. If the hon. Member for Newcastle said that this could not be done in five years, he showed small knowledge of the ingenuity of the many engineers of Durham and Northumberland. He had never denied that the cost would be somewhat increased. But he said as a colliery owner, knowing something of the trade, that there never was a Mining Bill before the House the disastrous effects of which were so overstated when it was discussed as had been the case in connection with this Bill. He ventured to say that if the Bill passed, before it had been in operation many months, let alone many years, it would be seen how overstated the position had been. There was no question of a shortage of coal with scores of pits working only two or three days a week. All they had to do was to put on another shift. They knew that contracts were being made at an enormous reduction in price, and, therefore, this cry that the industries of the country would be ruined and the coal-consuming public fleeced to an unfair extent would be found to have no relation to fact when the Bill passed into law.

MR. LAMBTON said he did not know whether the hon. Member meant to accuse him of exaggeration. He did not think he had exaggerated when he spoke on the Bill. He had to express his thanks to the Home Secretary for the concession he had made. It was inevitable he should make that concession; indeed, the counties concerned were desirous that there should be a longer concession. The counties of Northumberland and Durham were in a special position. He was rather surprised that a free trade Government should bring in a measure of that sort, and he tried to point out on Second Reading that in their case there was a very large export coal trade. Eighty per cent. of Northumberland coal was sent abroad. The Members of the Miners Federation and for Wales looked lightly on this matter because they had the home market under their control. The Midland counties could get their price out of the British public, and Wales had a monopoly. But Northumberland was not in that position. Four-fifths of their total production had to compete with German coal. If a measure was going to raise the price of coal it might kill their export trade, and might kill the export trade of Durham. Over and over again in connection with the coal tax it was pointed out that there was no monopoly in this coal trade, though there might be in others, and they had to compete every day under more unfavourable circumstances with Germany. It was his duty, therefore, to warn the right hon. Gentleman.

MR. LUPTON said he ventured to protest most strongly against the Amendment. The thing was fought out in Committee. They asked for local option there and it was not given. Now, at the last moment, a concession was made. He did not wonder at a colliery owner in the North being pleased he was going to have a six months extra run on the old basis. But they in Derbyshire were going to be penalised by the Act during that time. He did not call that fair. These counties got a benefit at Derbyshire's expense. Let them have fairness all round. The Amendment would enable the northern counties to make hundreds and thousands of pounds, whilst others were penalised. He thought it grossly unfair.

MR. MARKHAM said he very strongly objected to the Amendment for the reasons he stated last night. What had happened was this: that South Yorkshire used to have a considerable proportion of Swedish contracts. Immediately the Home Secretary said he was going to exclude Durham and Northumberland, by some mysterious means these contracts had found their way to Durham and Northumberland to South Yorkshire's exclusion.

MR. GLADSTONE: Is the hon. Member aware when the decision of the Government was made known?

MR. MARKHAM: Three weeks ago the Home Secretary definitely stated that after the Committee stage upstairs he would give favourable consideration to the question of Northumberland and Durham.

MR. GLADSTONE: I merely said I would consider the question. There was no compact.

MR. MARKHAM said he did not say there was, but the language was sufficiently definite for members of the coal trade to know well enough that, having a large docile majority at his back, the right hon. Gentleman would be able to carry any Amendment he brought forward in the House. He agreed with the hon. Member for Sleaford for the first time. Northumberland and Durham paid their men considerably less than he did. He was paying a wage 55 per cent. above the standard.

MR. FENWICK: Which standard?

MR. MARKHAM: I am not going into the standard now.

MR. FENWICK: Most misleading.

MR. MARKHAM said it could not be contradicted by the Miners' Federation of Great Britain that the wages paid in the Midlands were higher than those paid in Northumberland and Durham. Yet they were going to give this preference to those counties, while they increased his cost fourpence and sixpence per ton. He was not exaggerating when he said that the present profit on certain coal, owing to the large reduction that had taken place in many collieries, was actually less than that, and in many collieries it would not exceed 3d. to 4d. per ton. And yet they were going to give a six months preference to the North of England. As had already been stated, South Wales had no real monopoly. If South Wales coal had certain particular markets, apart from these it had to stand on its own bottom, having regard to its value for steam-raising purposes. He protested against this contracting-out. He thought the proposal was utterly unjust. It was going to dislocate the trade of the Midlands for six months. When the matter was considered by the Yorkshire Coal-owners' Association a few days ago, they were unanimously of opinion that the Government could not do such a silly thing as dislocate their trade and also that of Derbyshire by doing this. Why should they give this advantage to these counties? What had they done to warrant it? They said they could not change their methods of working when every other coalfield would have to. This coalfield had been the bugbear of progressive legislation. His men could earn £1 to £1 5s. per day at the face. If these counties could show that he might say they were asking for something reasonable. The fact was, the more pressure they put on the Government, the more they got out of them. Northumberland and Durham had squeezed the Government, and, like an orange, the more that Government was squeezed the more it gave way.

LORD R. CECIL said he would like to say one word with regard to the speech of the hon. Member and which was a speech characterised by all his usual candour. What the hon. Member said was this: "If you exempt Durham and Northumberland from the benefits of this measure, which is to confer an advantage on mine-owners and everybody concerned for six months, you dislocate the whole trade." He (Lord R. Cecil) asked the attention of the Government to that observation from a supporter and approver of the Bill. What did it mean? It meant that a variation of prices of 6d. per ton might well operate to throw into confusion the whole trade.

MR. MARKHAM: Even 3d.

LORD R. CECIL: 3d. What did that mean? It meant that this Bill, if the hon. Member was right, when it operated all over the country would throw into confusion the whole trade of the country, because, let it be observed, the hon. Member agreed that the coal trade of England was in sharp competition with the coal trade of Germany.

MR. MARKHAM: I said nothing of the kind.

LORD R. CECIL said the hon. Member for South Durham at any rate stated there was great competition with Germany. If that 6d. a ton which the hon. Member estimated would be the effect of the Bill was added to the burden of the coal mines of the country, they would be put at exactly the same disadvantage as the hon. Member said other mines would be by exempting Durham and Northumberland for six months. He asked the Government to appreciate this, that coalowners who were now making a profit of 3d. or 4d. per ton were going to have an added burden which, on the hon. Member's own showing, was 6d. per ton. The Opposition thought it was going to be much more. It was the strongest condemnation of the Bill which had been uttered during the whole course of the debates. Why the hon. Member was a supporter of the Bill was a mystery he alone could solve. One thing was certain, his contributions to the debates yesterday and to-day had quite swept away any lingering doubts from his (Lord R. Cecil's) mind as to the desirability of the Bill's becoming law. As far as the particular Amendment was concerned, he would support it as a mitigation of the Bill which, however inadequate, was something they ought to be thankful for.

Amendment agreed to.

*SIR C. J. CORY moved an Amendment to insert January instead of July as the date for the Act to come into operation. The hon. Member said the time for Durham and Northumberland having been extended to 1910 he felt sure that all that had been said in favour of it for these districts could equally be applied elsewhere. The hon. Member for Durham had said that Newcastle coals competed with German coals, and not only did South Wales coal compete with German coals but with coals from all over the world. South Wales and everywhere else would be handicapped by allowing Durham and Northumberland to have this advantage. He had had the strongest representations from the Chambers of Commerce of South Wales to press for this to be applied to the whole of the coal pits.

*MR. SPEAKER pointed out that the Amendment of the hon. Member referred to 1909. If the hon. Member intended to bring the Bill into operation for other places at the same time as in Durham and Northumberland, he ought to have drawn up his Amendment in another way. The Amendment as now proposed, even assuming that they could add the words 1910, would not read properly, and would be very bad drafting.

SIR C. J. CORY said his Amendment was put down before the Home Secretary's was on the Paper.

Amendment ruled out of order.

Amendment proposed—

"In page 5, line 36, at end, to insert the words 'Provided that the period of five years from the commencement of this Act hereinbefore referred to shall be calculated from the first day of July, nineteen hundred and nine, as well in the counties of Northumberland and Durham as elsewhere.' "—(*Mr. Gladstone.*)

Amendment agreed to.

Bill to be read the third time upon Monday next, and to be printed. [Bill 405.]

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Lords Amendments considered.

Lords Amendments to the Amendment—

"In page 4, line 10, agreed to."

Lords Amendment—

"In page 4, line 10, to leave out the words compulsory purchase,' and insert the words 'acquisition.' "

The next Amendment disagreed to.

Lords Amendment—

"In page 4, line 11, to leave out the words 'the Act of 1890,' and to insert the words 'that Act.' "

The next Amendment agreed to.

Lords Amendment—

"In page 4, line 14, after the word 'Board, to insert the words '(*a*) If land is not proposed to be taken compulsorily; or (*b*) If, although land is proposed to be taken compulsorily, the Local Government Board, before making an absolute order, are satisfied that notice of the draft or Provisional Order, as the case may be, has been served as required as respects a Provisional Order by subsection (5) of Section 8 of the Act of 1890, and also that the draft or Provisional Order, as the case may be, has been published in the *Dublin Gazette*, and that a petition against it has not been presented to the Local Government Board by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice or, having been so presented, has been withdrawn.' "

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) in moving to disagree to the Amendment said that it dealt with the provision of the Bill that dispensed with the confirmation by Parliament of an Order of the Local Government Board where land was taken compulsorily for the purposes of the Act. He understood that ever since the year 1890, although numerous Orders had been made by the Local Government Board and brought to that House for confirmation, in no single instance had Parliament ever refused to confirm the Order. The procedure involved a very great deal of delay which was obviated by the provisions of the Bill which it was proposed to amend.

Amendment disagreed to.

Lords Amendment—

"In page 4, line 20, after the word 'Board,' to insert the words 'as the case may be.'"

The next Amendment agreed to.

Lords Amendment—

"In page 4, line 31, after the word 'published,' to insert the words '(4) If an order of the Local Government Board, which, if no petition were presented, would take effect without confirmation, is petitioned against, the Local Government Board may, if it thinks fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner, and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provision shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order. (6) The provisions of this section shall extend to orders of the Local Government Board made after the passing of this Act upon petitions of local authorities presented before the passing of this Act.'"

The next Amendment read a second time.

Amendment divided.

So much of the Lords Amendment as proposes to insert subsection (4) and (5) disagreed to.

So much of the Lords Amendment as proposes to insert subsection (6) agreed to.

Subsequent Lords Amendments, to the Amendment in page 7, line 11, agreed to.

Mr. Cherry.

Lords Amendment—

"In page 7, line 11, after the word 'woods,' to insert the words '(4) Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, or any land held on trusts which prohibit building thereon, or held in trust for some charitable purpose, or for some particular public purpose specified or defined, as distinguished from the general purposes of a municipality or township or the general benefit or advantage of the inhabitants thereof,' the next Amendment, read a second time, amended, in line 1, by leaving out the word 'Act' and inserting the word 'section,' and by leaving out from the word 'ground,' in line 5, to the end of the Amendment, and agreed to."—(*Mr. Cherry.*)

Lords Amendment—

"In page 7, line 15, after '1890,' to insert the words 'of any town the population of which according to the last census exceeds two thousand.'"

The next Amendment disagreed to.

Remaining Lords Amendments agreed to.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of, Mr. Attorney-General for Ireland, Mr. Hugh Barrie, Mr. Fuller, Mr. Mooney, and Mr. Thomas O'Connor.

Three to be the quorum.

To withdraw immediately. — (*Mr. Cherry.*)

EAST INDIA LOANS BILL.

Read the third time, and passed.

LIVERPOOL AND HONG KONG MAIL SERVICE.

Resolved "That the contract, dated the 12th day of October, 1908, between His Majesty's Postmaster-General and the Canadian Pacific Railway Company for the conveyance of mails between Liverpool and Hong-Kong, be approved."—(*Mr. Joseph Pease.*)

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Ten o'clock till Monday next.

HOUSE OF LORDS.

Monday, 14th December, 1908.

PETITIONS.

PORT OF LONDON BILL.

Petitions to be heard by Counsel against: Of London Waterside Manufacturers Association; Mayor, Aldermen and Burgesses of the Borough of Richmond (Surrey); William Cory and Son, Limited; Persons signing. Read, and ordered to lie on the Table.

Petitions against: Of Corporation of West Ham; London Direct Short Sea Traders Association. Read, and ordered to lie on the Table.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Petitions against: Of persons signing (2); Brompton and Kensington Electricity Supply Company, Limited, and other electric lighting companies. Read and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TREATY SERIES, No. 33 (1908).

Convention between the United Kingdom and France respecting the exchange of Post Office money orders between France and the Transvaal; signed at London, 25th January, 1908. (Ratifications exchanged at London, 30th November, 1908.)

COLONIES: ANNUAL.

No. 589. British Guiana (Report for 1907–1908).

Presented (by Command), and ordered to lie on the Table.

ARMY.

Territorial Force.—Further regulations for.

Army Reserve.—Further regulations for (including Special Reserve).

CENSUS OF PRODUCTION ACT, 1906.

Rules made by the Board of Trade, CCVI.—CCXVI.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

HOME DEFENCE.

*THE EARL OF WEMYSS rose to ask the Under-Secretary of State for War: (1) The number and headquarters of the division organised for Home Defence; (2) the composition of the said divisions; (3) the number of each arm composing each division; (4) the armament of each division; (5) the number of youths under twenty years of age in each division, specifying the branch of the Service to which they belong; (6) within what period of time, after the order given, could the respective divisions be embodied, complete and ready in all respects for field service; (7) if all the divisions are not fully organised, specify those that are in all respects complete, and when the other divisions will be ready; (8) how many Territorials in each division have enlisted for one year only.

The noble Earl said: My Lords, I ask your Lordships' indulgence while I say a few words with reference to the Questions standing in my name on the Paper. I think it would be well that, in asking them, I should recall your Lordships' action in the last few years on the question of Home Defence. I will take you back to 1883. In that year a very important Resolution was passed regarding the Militia. I need not tell your Lordships that the Militia was the foundation-stone of our military system, that everything circled round it as long as it existed, and that it rested on the principle that the Crown had an absolute right to call upon its subjects to stand forward in defence of hearth and home. That power existed in the Militia ballot. The Resolution which your Lordships passed in 1883 ran as follows—

> "That, having regard to the present defective military organisation and to the great importance of the Militia force, it is essential that the Militia be forthwith recruited up to the established strength, and that the Militia Reserve should, as intended by its originator, and as regulated by the Militia Committee of 1877, be borne in excess of the Militia establishment."

That was the Resolution which your Lordships passed. But how did you pass it? Was it accepted by the front benches? So far from being accepted, it was resisted by them to the utmost and was carried by the independent action of the House of Lords in the

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

teeth of the opposition of the two front benches. And why was it objected to by the front benches? It was objected to by them because it savoured of compulsion. Indeed, it was an understood thing that the only way in which this could be brought about was by enforcing the existing law, which rested on the question of compulsion.

Recently there has been secured a new advocate of the principle of compulsion—Lord Rosebery, speaking in Scotland the other day, went in for compulsion in a new form. He advocated what is called the Swiss military system. I, for one, very much object to the Swiss military system. I do not think we want it. If we were a Continental Power with nothing but a line of colour on the map to mark our boundaries, we should be compelled to have a system similar to that of our neighbours; but, happily for us, we have what Cromwell called "our ditch." I maintain that that makes all the difference, and that, having that, the system of the Militia ballot was the soundest and best adapted to our needs. At any rate, it was a system which satisfied all statesmen from Pitt down to Palmerston and all soldiers from Wellington to Wolseley. It is said that the ballot is unfair. How is it unfair? If those who take that line were condemned to be shot, would they object to decimation? I rather think not. And that is what the ballot is—alleviation of the burden of universal service. I think it is the right system for this country.

After that Resolution, did the Government act? No; they muddled through the Boer War, and in 1904, finding a difficulty in getting Reserves for the Army, began to tamper with the Militia. Foreign service in regard to the Militia was voluntary, and the Government proceeded to tamper with this. Again your Lordships came to the rescue and passed a Resolution, this time unanimously, to the following effect—

> "That, in the opinion of this House, any scheme of Army organisation that does away with the Militia force is contrary to sound policy, destroying, as it does, the ancient constitutional foundation of our existing military system."

That was the answer which your Lordships gave to the action of the Government in tampering with the Militia and altering its terms of service. With this Resolution both front benches concurred. Well, what action did the Government take? About a year or two afterwards the Government tore up our military system root and branch and gave us, instead, the Territorial Army, the Militia being practically destroyed. I have kept my tongue very silent regarding the Territorial Army, and when it was before your Lordships I took no part in the debates; but I entered my protest on the Journals of this House against the Territorial system, and two other noble Lords, Lords Cathcart and Muskerry added their names to that protest. And what is the defensive Home Army you have now got?

I see Lord Roberts in his place. The noble and gallant Field Marshal the other night, with extraordinary moral courage, put before the House the present state of our defence. He showed that in its present state, when only two-thirds grown, the Territorial Army is entirely worthless, and that, even if it had its full strength of 300,000 men, it would be absolutely worthless for the duties it might have to perform. Even if it were a full grown force, the men you could put into the field, making allowances for the requirements of Ireland and for garrisoning seaport fortified towns and other necessary duties, would not be more than from 40,000 to 60,000 men. Lord Wolseley, when he spoke on this matter, said he would never be satisfied as to the defence of this country until we had 150,000 of the best troops, not "Terriers," not Yeomen, not Volunteers. That was Lord Wolseley's estimate. While Lord Roberts declared the other day that we required 1,000,000 men for the proper defence of the country and to meet other necessary requirements.

As regards the force we might have to meet, I may mention that since the debate in your Lordships' House I have had a conversation with a friend of mine, a general in the Army, and he told me that some years ago he had a talk at some manœuvres abroad with a distinguished general of the foreign army. He asked: "Have you any plan for the invasion of England?" "Yes," replied the foreign general, "we have at least twenty." "Well, of those twenty plans, which do you think the best?" my friend asked. The reply was—

> "I think the best plan is that we should send 300,000 men, 100,000 in each army, and that they should go to three different parts of the country with the certainty that one of them would land, and if that army did land it would get to London."

Therefore I maintain that Lord Roberts is more than justified in all he said as to our defenceless state and as to the necessity that exists for a much larger Army. The Secretary of State for War, who is now nominally satisfied with 300,000 men, began by praying—he is always on his knees—that the country would give him 900,000 men for his scheme. As a matter of fact, we are in a very pitiful state as regards home defence. It is no exaggeration to say that Britannia is left naked and unarmed, with the possibility at any moment of having to fight for hearth, home, and Empire against a steel-clad knight.

Is there any way of getting out of our present position? I think there is. Consider what you might have got in the way of men if you had had the moral courage to follow the recommendations in the Report of the Duke of Norfolk's Committee in favour of compulsion for home defence and impose the then existing law of the Militia ballot. My proposal was that the ballot should be applied once in a man's life at the age of twenty, unless he was serving as a Volunteer or in some other form, and not again except in the event of some great national emergency. Then he was to be trained for six months during the first year, and, after that, only for ten days or a week in the year. Sir Joseph Whitworth, that great mechanician and employer of labour, told me in 1851 he would give considerably more wages to a trained than he would to an untrained man. I asked why, and he replied that trained men had learnt obedience and to act in combination, and were, therefore, worth more. Consequently, I maintain that the application of the ballot and military training would be a benefit to working men, and weigh lightly upon the nation. If the Government had had the moral courage to adopt the Militia ballot and not annually suspend it, they would have got a total of 1,240,000 Militia, Yeomanry, Volunteers and *emeriti* Volunteers of fighting age. This, as Lord Lansdowne will recollect, I suggested to him at the time of the Boer War, and the experiment of calling out the men who had served in his regiment and retired occurred to Colonel Cunningham, commanding a battalion in the north-west of England, and they turned out 5,000 strong without extra cost. That, I think, would satisfy Lord Roberts.

It may be asked, How can this now be done? There is only one way, and that is by acting as I suggested, in the few words I spoke in the debate on Lord Roberts' Motion that, instead of opposing it, the two front benches should shake hands across the Table and endeavour to come to some agreement in regard to what ought to be done, and support each other in the doing of it. If the two front benches were patriotic enough thus to take this question of home defence, which is the most vital question affecting this country, out of the domain of Party politics—the curse from which the nation suffers—and agree to stand by each other continuously, *coute qui coute*, in pursuing whatever course they might decide to be necessary, all would be well.

Two years ago I addressed a meeting in the Market Hall at Haddington, where I advocated, just as I have done to-night, compulsion for the Militia, and there was not a whisper of dissent. The meeting passed a Resolution declaring that it was essential that our land forces should always be in such a state that no nation would ever dream of attempting—and that is the question—to make a hostile landing on our shores. The Resolution ended by approving of the adoption of compulsory service in the Militia in the modified form which I have suggested and expressing the opinion that a matter so vital as Home Defence should never be made a Party question. I am surprised that such a sentiment as that receives no approval from your Lordships, for that is the only way in which you can make the nation safe and the Empire secure.

I now come to the Questions on the Paper. I have nothing to say upon them particularly, but I will say, generally, that I hope my noble friend the Under-Secretary will not give the usual stereotyped reply—namely, that it is contrary to public policy and to the public interest that an answer should be given. I am only asking for information which every foreign *attache* in this country knows better than you do yourselves, and which every foreign country also knows. I hope, therefore, we shall not have the stereotyped answer from my noble friend to-night, but that he will give us a clear and distinct reply, even though it should take the gilt off the Territorial gingerbread and we should thus know the value of our Army.

THE UNDER-SECRETARY OF STATE FOR WAR (Lord LUCAS): My Lords, the Answers to the Questions put by the noble Earl are as follow. There are twenty divisions organised for home defence, six of them Regular and fourteen Territorial. Of the Regular divisions two have their headquarters at Aldershot, one at Bulford, one at Woolwich, one at Curragh, and one at Cork. The numbers of all arms composing each Regular division are 601 officers and 18,962 of other ranks, making a total of 19,563; and in each Territorial division there are 589 officers and 16,438 of other ranks, making a total of 17,027. The armament of the Regular divisions is: Infantry and cavalry, the short M.L.E. rifle; Horse Artillery, 13-pounder q.f.; Field Artillery, 18-pounder q.f.; field howitzer, 5-inch b.l. howitzer; heavy batteries, 60-pounder b.l.; and in the Territorial divisions the infantry are armed with long M.L.E. rifles, but the issue of a converted long M.L.E. rifle will begin shortly; the cavalry are armed with long M.L.E. rifles, but the issue of a short M.L.E. rifle will begin shortly; the Horse Artillery have 15-pounder converted guns; the Field Artillery, 15-pounder converted; the field howitzer, 5-inch b.l. howitzer; and the heavy batteries, 4·7-inch q.f. Youths under twenty years of age number in the Regular Army, 36,476; in the Special Reserve, 16,244; and in the Territorial Force, 62,221. With reference to the sixth Question it is not considered advisable to make public the mobilisation arrangements of the Military forces. As to the seventh Question, the six divisions of the Regular Army are fully organised for home defence and the organisation of eleven of the fourteen Territorial Force divisions is complete, the exceptions being the North Midland, the East Anglian, and the 2nd London. The numbers of Territorials shown in unit returns as having enlisted for one year in divisions and divisional troops only up to 1st October, 1908, are: Highland, 6,553; Lowland, 5,795; West Lancashire, 6,549; East Lancashire, 6,344; Welsh, 5,582; Northumbrian, 6,462; West Riding, 5,147; North Midland, 5,752; South Midland, 5,512; Wessex, 7,371; East Anglian, 6,472; Home Counties, 5,947; 1st London, 5,024; 2nd London, 5,172; making a total of 83,682 out of rather more than 200,000.

WHITE PHOSPHORUS MATCHES PROHIBITION BILL.

House in Committee (according to Order). Bill reported without Amendments. Standing Committee negatived, and Bill to be read 3ª To-morrow.

PORT OF LONDON BILL.

[SECOND READING.]

Order for the Day for the Second Reading read.

*LORD HAMILTON OF DALZELL: My Lords, in rising to propose the Second Reading of this Bill, which deals with very large financial interests and with matters of the greatest importance to the trade of London, I feel that I must ask for the indulgence of the House to one who is very far from being an expert either in finance or in Parliamentary practice. The Bill deals with a question which has been repeatedly before Parliament during the last eight years. It is a very much longer period than that since a feeling of uneasiness was first manifested amongst those who carry on their business in the Port of London, and a fear was first expressed that the trade of the Port was in far from a satisfactory condition.

In the year 1900, as your Lordships are aware, a Royal Commission was appointed to inquire into the conditions of the Port, under the chairmanship of a Member of your Lordships' House, the noble Earl, Lord Egerton of Tatton. Lord Egerton was, unfortunately, obliged to resign his position on the Commission early in the following year, and his place was taken by my noble friend Lord Revelstoke. The Royal Commission reported in the summer of 1902, and their Report contains a most elaborate and most painstaking inquiry into the many difficult and intricate questions connected with the Port of London. It also contains a series of recommendations of which I think their principle features are these—first, that a new public authority should be appointed which should have control of the whole of the tidal portion of the Thames, and that that authority should be given sufficient revenue and borrowing powers to enable it to carry out improvements in the channel of the river, and any extension of the docks which might be considered necessary; secondly, that this authority should acquire the docks.

Since the appearance of that Report, Bills dealing with the Port of London have been presented to Parliament almost every year. Two have been presented by the London and India Dock Company, one by the Thames Conservancy, and one by the London County Council. None of these Bills, however, have become law with the exception of the Bill of the Thames Conservancy, which was passed after considerable amendment, and in a form which allowed the Thames Conservancy to carry out a useful but not very extensive scheme of dredging, and which also allowed them to double their tonnage dues for that purpose for a period of three years. But, in 1903, a much more important Bill was introduced, and a Bill showing the great urgency which this question possessed in the opinion of the late Government. That was the Bill introduced by Mr. Gerald Balfour, he being then President of the Board of Trade. That Bill followed very closely the recommendations of the Royal Commission, and under it the new public authority was given power to purchase the docks. The Bill was referred to a Select Committee, of which the noble Viscount, Lord Cross, was chairman, and after an exhaustive inquiry the Committee reported in favour of the Bill with certain Amendments. That Bill was not, however, further proceeded with.

The effect of all this inquiry, which has not resulted in any legislation, has been most unfortunate, for it has created a feeling of uncertainty and unrest in the docks which has put a stop to all expenditure of capital during the last six or eight years. Indeed, I believe I am not overstating the case when I say that the only important work which has been carried out in the Port of London during the last eight years has been the opening of the Greenland Dock of the Surrey Commercial Company. That dock, which was a very large and useful work, was carried out at a cost of £1,500,000, but that work was undoubtedly decided upon long before the appearance of the Report in question. And while London has been standing still her rivals, both at home and abroad, have been forging ahead very rapidly. I will give your Lordships a few figures which show this. Liverpool has spent £5,000,000 on her port recently, Bristol has spent £2,500,000, and Southampton, £2,000,000, while, if we look abroad, the figures are even more striking. Hamburg, Antwerp, and Rotterdam, London's great rivals in the *entrepot* trade of Europe, have spent enormous sums on their ports. Hamburg has recently spent £15,000,000, and contemplates an expenditure of another £1,250,000, and at Antwerp it is proposed to spend £7,000,000 on docks and £4,500,000 on a canal. I quote these figures in order to show the extreme severity of the competition to which London is being subjected. And it should be remembered that, in the case of these foreign ports, very large subsidies have been received both from municipal and from State sources. Nothing of that kind is possible in the case of the Port of London, which must, I think, work out its own salvation, because, as your Lordships will see, it would be impossible for the Government to spend a large sum of money, or advocate its expenditure, in the Thames if it was not prepared to do the same in the case of all London's rivals round the coast; further, the present London County Council do not see their way to give any financial assistance, either by grant or guarantee.

That was the position of affairs when Mr. Lloyd-George took the matter up last year. He saw the extreme urgency of the case, and determined, in following the recommendations of the Royal Commission, to profit by the experience of his predecessors, and, if possible, avoid the rocks on which the 1903 Bill had been wrecked. His policy throughout has been based on this, that the prime necessity of any scheme for the settlement of the Port of London was that it should bind together into one body all the divergent interests at present existing in the Port; and he has seen that the surest way of doing that was to secure that the terms of settlement should be as near as possible absolutely fair and just as between those different interests. With that object in view, Mr. Lloyd-George and Mr. Churchill have entered into negotiation with, I believe, every trade and interest in the Port of London. Those negotiations have gone on till a very recent date, and the result of that labour is to be found in the Bill now before the House.

The Bill was referred to a Joint Committee, of which I had the honour of being a member. That Committee was very ably presided over by Mr. Russell Rea, who had been a member of the Committee on the 1903 Bill. We also had the advantage of the presence of several Members of both Houses of Parliament having an intimate knowledge of docks and of the shipping interest generally, and we also had the advantage of the presence of a most distinguished Member of your Lordships' House in the noble Viscount on the cross benches. The Joint Committee amended the Bill in certain particulars, and finally reported in favour of it. I had hoped until recently that I might have said that that Report was a unanimous one, and I had been encouraged in that hope by the very generous support given to this Bill in another place by the members of the Joint Committee, irrespective of party. But, my Lords, the Amendment on the Paper in the name of the noble Lord opposite, Lord Richie, of course, shows that our Report cannot be considered as being unanimous. I would like to say this with regard to Lord Richie's opposition. He made it clear at an early stage of our proceedings that he objected to certain important provisions in the Bill; but he, none the less on that account, devoted himself most strenuously to the consideration of every detail of the Bill at a subsequent date, and I am quite sure that, much as I regret his decision, it has been arrived at on conscientious grounds and after mature consideration.

I have said that the proposals of the Bill are very similar to those of the Bill of 1903—they were both founded on the Report of the Royal Commission. The main features of the Bill, and of that Report, are the establishment of a public authority and the purchase of the docks. Those points are very intimately connected, as I will attempt to show your Lordships. In doing so, I must refer again to the Report of the Royal Commission. I hope your Lordships will excuse my doing so on several occasions, but I think any one who has studied this question must have found, as I have done, that the ground is so completely covered by that Report that no matter in what direction you may investigate you will invariably find that my noble friend Lord Revelstoke has been there before you. In paragraph 253 of the Report the opinion of the Royal Commission with regard to the condition of the docks is very clearly expressed. They say—

> "It has, in our opinion, been proved that the Port of London is in danger of losing part of its existing trade, and certainly part of the trade which might otherwise go to it, by reason of the river, channels, and docks being inadequate to meet the increased and increasing requirements of modern commerce."

That is a very strong statement, and, having come to that conclusion, the Royal Commission proceeded to sketch out a scheme for the improvement of the Port.

The difficulties of doing this are very much increased by the peculiar conditions existing in the Port of London. In the first place, we have the fact that part of the trade is carried on in the river and part in the docks; and, in the second place, we have the fact that of the cargo using the docks only a small proportion contributes anything whatever towards the revenue of the dock companies. That is brought about by the operation of the principle which is known as free water. That principle I believe to be peculiar to the Port of London. Under it the dock companies are only allowed to charge rates upon the goods actually using their quays, and are bound to allow barges and lighters to have free access to the ships lying in their docks for the purpose of the loading and unloading of cargo. That principle was established by Parliament more than 100 years ago, when the first docks were opened on the Thames, and I believe it has been continued in the case of every subsequent dock which has been constructed.

The results of this system were very clearly brought out before the Joint Committee this year by one of the witnesses. I refer to Mr. Collier, who was called by Messrs. Cory and Sons, the great coal merchants. Mr. Collier, I believe, had been a former manager of the Manchester Ship Canal. He gave us some very interesting figures. He told us that in the year 1906 the total goods imported into and exported from the Port of London amounted to 29,400,000 tons, and that of that amount 18,400,000 tons were dealt with in the river and 11,000,000 in the docks. Those are not figures for which the Board of Trade is responsible. They are figures which were given before the Joint Committee by a hostile witness. This witness went on to tell us that, of this total of 11,000,000 using the docks, only 2,500,000 contributed anything whatever towards the income of the dock companies. I remember thinking when I heard these figures, though they were given with quite a different object, that they were far the strongest argument that we had yet heard in favour of the changes proposed by the Bill. If the Report of the Royal Commission is further studied, it will be found that the Royal Commissioners were amply satisfied that a very large expenditure on the docks was necessary if London was not to fall behind her trade rivals; but they were also satisfied that the revenue of the dock companies did not justify them in embarking on that expenditure.

The question then arose as to how those two difficult factors were to be brought together. It was clearly not possible to place higher rates on the already heavily burdened goods using the quays of the docks, without incurring a grave risk of driving trade away altogether. The remedy suggested by the dock companies was that they should be allowed to charge rates upon the goods loaded and unloaded overside in the docks; in other words, their suggestion was that the principle of free water should be varied to their advantage. This proposal was, of course, received with very keen opposition from the wharfingers and other river interests, whose trade had been built up on the understanding that free water was to be maintained. The argument which seems to have weighed with the Royal Commissioners, is to be found on page 90 of their Report. There it is said that—

> "The vital need for financial strength would be better met by the creation of a new body responsible to the public than by strengthening, as against other interests, companies responsible to shareholders."

That, my Lords, is really the argument in favour of the establishment of a Port Authority and the purchase of the docks by that authority. I hope I have made that clear. Those are the two difficulties which exist with regard to the London docks—first, that the docks are so hampered by the restrictions which Parliament has placed upon them with regard to free water that it is impossible for them to earn sufficient revenue to improve and extend their docks as they should, in their own interests and in that of the Port; and, secondly, that any proposal to remove those restrictions is invariably met by most strenuous opposition—and, from their point of view, perfectly justifiable opposition—from the wharfingers and other river interests. The investigations of the Royal Commission led them to the conclusion that the only possible remedy was the creation of a public authority and the purchase of the docks. Mr Lloyd-George's investigations, carried on on quite independent lines, led him to an absolutely similar result. I must apologise for having detained the House so long over those two points, but they are really the two main Second Reading points in the Bill. Although those two principles have been twice accepted by the other House of Parliament, in 1903 and again this year, this is the first time, I believe, that they have been discussed in your Lordships' House, and I therefore thought it my duty to place them fully before you.

The Bill, as your Lordships will have seen, has been prefixed by a rather full, and, I am afraid, rather long Memorandum. I hope the existence of that Memorandum will excuse me if I run rather rapidly over the various heads of the Bill. First of all, there is the constitution of the new Port Authority. That is to consist of twenty-eight members, eighteen elected and ten nominated. By means of this division the preponderating voice in the management of the Port is given to those who have the greatest interest in maintaining it in as efficient a condition as possible—that is to say, those who actually carry on their business in the Port. Of the eighteen elected members seventeen are to be elected on a general register by wharfingers, payers of dues, and owners of river craft, and one is to be elected by wharfingers alone. The registers of electors are to be found in the Fourth Part of the First Schedule of the Bill. All payers of dues of £10 a year or upwards are entitled to a vote, and the more they pay in dues the more votes they will get up to a maximum of fifty. The wharfingers will be entitled to votes in proportion to the rateable value of their premises, up to a maximum of ten votes. The owners of river craft will be entitled to votes according to the number of river craft which they own, up to a maximum also of ten. The remainder of the body is to consist of the ten appointed members. I do not think it is necessary for me to read that list to your Lordships.

There are one or two points with regard to the appointment of the first body which I think I ought to explain. In the first place, it will be clearly impossible to hold an election on the register of payers of dues until those dues have been in force for at least a year, and as it is hoped this body may come into existence very shortly after the passing of the Bill, it is proposed that for the formation of the first authority the Board of Trade are to have the nomination of the members who will ordinarily be elected after consultation with the interests in whose hands the election will lie. On the same principle the Board of Trade are to be allowed to appoint the first Chairman of the Board. Then the Port Authority is to take over and exercise the powers and duties of the Thames Conservancy so far as those powers and duties are at present exercised in the tidal portion of the river. It is also to take over the powers of the Watermen's Company, as regards the registration and control of barges and boats within the limits of the Port.

The revenue of the new authority will fall under two principal heads. In the first place, there will be the revenue now enjoyed by the Thames Conservancy derived from tonnage dues on the ships using the Port. Those dues may be continued on the higher scale recently authorised. In the second place, the Port Authority is to be allowed to charge rates upon the goods using the Port. This proposal to charge rates on goods has caused a certain amount of uneasiness in certain quarters, and, in order to allay the anxiety which has been displayed, my right hon. friend during the passage of the Bill through the other House inserted a provision that that rate was not to exceed in amount one-thousandth part of the total value of goods imported into or exported from the Port overseas in one year. That is a rather complicated phrase, but what it means is that the average rate on goods is not to exceed 2s. in £100. That is not a very heavy contribution, even supposing that the maximum rate is charged. Then the maximum rates are to be fixed by the Port Authority, and one of their first duties will be to draw up a scale of maximum rates which will have to be submitted to Parliament in the form of a Provisional Order.

As regards purchase, the docks of London are to be bought—that is to say, the property of the London and India Dock Company, the Milwall Dock Company, and the Surrey Commercial Dock Company. The price is a price which has been agreed between the directors of those dock companies and the President of the Board of Trade, subject, of course, to confirmation by Parliament. The basis on which that purchase is to be made is to be a revenue basis. The price has been arrived at in this way. The dock companies placed their accounts and their property at the disposal of the Board of Trade for the purposes of investigation, and a distinguished accountant as well as a distinguished engineer made an examination. As a result they reported to the Board of Trade that a net maintainable revenue of £809,000 a year was to be derived from the docks. The purchase is to take place on the basis of handing over to the shareholders of the companies Port Stock which will impose a charge of £800,000 a year on the Port Authority.

The Government claim that the bargain is a fair one. We do not claim that it is more than fair. My right hon. friend does not claim that he is driving a hard bargain, but he claims that as nearly as possible he has made a bargain which is fair as between the dock companies and the trade of the Port of London as represented by the new authority. The two gentlemen—the accountant and the engineer—who made the examination of the dock companies' accounts and property were both called as witnesses before the Joint Committee and were subjected to a most rigorous cross-examination. Their figures, however, were not shaken, and the Joint Committee decided, by a very large majority, to report in favour of the bargain which has been concluded. In the 1903 Bill the bargain was to be carried out on an arbitration basis. In departing from this we have also departed from the recommendation of the Royal Commission in that detail, but we claim that by doing so we have saved the Port Authority a very large sum of money. The stock which is to be issued is to consist of two classes—A Stock bearing interest at 3 per cent. and forming a first charge on the revenue of the Port Authority, and B Stock bearing interest of 4 per cent. and ranking after A. Those two classes of stock are to be exchanged, according to a scale set out in one of the Schedules of the Bill, for the shareholdings of the different dock companies. The total amount of stock to be issued for this purpose amounts, roughly, to £22,500,000. Besides that, the Port Authority have power to issue further stock to a value not exceeding £5,000,000.

The only other point in the Bill with which I need trouble your Lordships is the reconstitution of the Thames Conservancy. That is made necessary by the fact that the Port Authority is to carry out the duties at present performed by the Thames Conservancy in the tidal portion of the Thames. That fact also accounts for a new Thames Conservancy, consisting of ten fewer members than the old one. Besides the old members who will serve on the new body a few have been added representing up-river urban districts and boroughs which were not formerly represented, and, in addition two extra nominations are given to the Board of Trade, who will now have four nominations. One of those is to be chosen after consultation with the persons carrying on the barge traffic in the Thames, and two after consultation with persons using the river for purposes of recreation. These, my Lords, are the leading features of the Bill.

I have only a few words to say in conclusion. I see there are Notices on th Paper urging your Lordships to reject this Bill. I venture to hope that the House will not adopt that course. There is another proposal, of which we have heard rumours, and which would be equally fatal to the Bill. I refer to the proposal to carry the Bill over to next session. The Government cannot possibly accede to that proposal. Surely, my Lords, it is time that this matter was settled. It is more than six years since the appearance of the Report of the Royal Commission, and the condition of the Port is, if anything, worse than it was when that Report was issued. The recommendations of the Commission have now been endorsed by both the great parties in the State. There can surely be no further reason for delay. The Bill was treated as a non-party measure in the other House of Parliament, and the Government received most generous and most useful support from many Members of the Party of noble Lords opposite. In particular, I should mention the assistance which was given by Mr. Bonar Law. If, as I hope may be the case, the Bill becomes law this year, the two right hon. Gentlemen who are jointly responsible for it will, I have no doubt, be very proud to have been the means of settling this question; but I am sure they will never forget that they share any credit which may be due with successive Presidents of the Board of Trade, commencing with the late Lord Ritchie, who was responsible for the appointment of the Royal Commission, and that they share that credit in no ordinary degree with the permanent officials of the Department, who have devoted years of labour and of study to the solution of this very difficult question. I beg to move that the Bill be read a second time.

Moved, "That the Bill be now read 2ª."—(*Lord Hamilton of Dalzell.*)

***Lord RITCHIE of DUNDEE**, who had given notice, on the Motion for the Second Reading, to move that the Bill be read a second time this day three months, said: My Lords, I do not anticipate that those with whom I was associated on the Joint Committee which considered this Bill last summer were surprised when they saw this Amendment standing in my name on the Paper. They will remember that when we came to consider that provision of the Bill which deals with the transfer of the docks to the Port Authority—a provision which the Board of Trade told us was vital to the existence of the Bill—I expressed my strong disapproval of the terms of transfer, and went so far as to divide the Committee on those terms, knowing that if I had been successful the Bill would have been killed.

The Bill came to the Joint Committee with an assurance from the Parliamentary Secretary to the Board of Trade that he was prepared to justify up to the hilt every detail of the terms on which the docks were to be transferred to the new Port authority, and it came also with an assurance from Mr. Lloyd-George that he was confident, not only that the income from the ordinary business of the dock companies would be sufficient to meet the interest charges on the new stock to be created under this Bill, but that there would be a margin over and above which might be devoted to the general benefit of the Port. I naturally supposed that we should have received overwhelming evidence in support of this assurance. As a matter of fact, two expert witnesses were put in—an accountant and an engineer. The accountant examined the books of the dock companies and said in effect—

> "I am satisfied with the books, provided the engineer is satisfied with the physical condition of the docks."

Thereupon, the engineer went down to examine the docks, and in twelve days, with one assistant, he performed the incredible feat of examining 438 acres of docks, 14,000,000 square feet of warehouses, and innumerable cranes and other machinery, and reported that he was satisfied. They are, therefore, both satisfied; the Board of Trade is satisfied, the dock companies are satisfied, and the Joint Committee has to be satisfied.

A question was raised as to the condition of the dock walls, but the engineer, although he admits he has not had them examined, claims to be so expert that he can tell they are all right by simply looking at the quays. No evidence is given as to the amount or the value of the machinery and equipment of the docks. We are told that such and such a sum has been spent annually on the maintenance of the machinery and equipment. I forget what the sum was. It is of no importance. It might have been £5,000, or £50,000, or £500,000. It is a mere mockery to tell us what sum has been spent annually in the maintenance of machinery and equipment if we do not know at the same time what is the value of the machinery and equipment. There is a secret Report—a Report which the dock companies refuse to produce. Of course, it must be a very favourable Report, otherwise the Board of Trade would not have gone on with the bargain. Then why is it not produced? I will be charitable and suppose it is modesty on the part of the dock companies, modesty lest Parliament should be so favourably impressed by the Report as to insist on giving a few millions more for the docks than the Bill gives.

With this mutual satisfaction on the part of the accountant and the engineer, it might be supposed that the figures submitted by the accountant would have given overwhelming justification of the terms of the transfer. The transfer is on a revenue basis, and we are told that the amount of interest required on the new stock to be created under the

Bill is £800,000 a year. The accountant takes the average income of the dock companies for the last six years, and adds to that average a certain sum which he anticipates will be saved under management by the Port Authority as compared with management by the dock companies. He estimates a saving of £18,000 a year. This is an estimate which is unlike all other estimates in that it is certain not to be exceeded. He adds this estimated saving of £18,000 to the average income of the dock companies during the last six years, and arrives at a total of just over £800,000. But, unfortunately, the income of the dock companies is a diminishing income. If we take individual years, we find that the incomes in the years 1907, 1906, and 1905 would have been insufficient to meet the interest charges on the new stock. It is necessary to go back to 1904 to find a year in which the income of the dock companies would be sufficient to meet the interest charges on the new stock. Yet the Board of Trade is still quite confident that the income will not only be sufficient to meet these interest charges, but that there will be a surplus which can be devoted to the general benefit of the Port.

The accountant and the engineer had to prove two things—first, that the income of the dock companies, not four years ago but at the present time, is sufficient to meet the interest charges on the new stock; and, secondly, that that income is maintainable. They have not proved either. If they have proved anything at all, they have proved exactly the reverse. The dock directors are not so confident as the Board of Trade that the income is to be sufficient to meet the interest charges on the new stock. They are so fearful lest the income will not be sufficient that they have made it an essential condition of the bargain that a tax should be levied upon all goods that enter and leave the Port, and that that tax should be specifically allotted to the payment of any deficiency that there may be on the interest on the stock. The Report of the Royal Commission has been frequently referred to and quoted by the Board of Trade when it served their purpose, but I should like to read to your Lordships a paragraph to which they have never made reference. The Royal Commission dealing with the question of additional dues say—

> "We entirely concur with the view that, having regard to the existing and increasing competition with the Thames of other, and especially of certain foreign ports, such additiona charge should be confined to the provision of such improvements as are strictly necessary, and which may be expected to be productive."

The dock companies say they must have this tax to protect their now stockholders. It is not likely to be productive if it is to be devoted to this purpose. I should like to explain to those of your Lordships who are not familiar with the peculiarities that exist in the Port of London, that less than half the shipping which enters and leaves the Port uses the docks at all. The larger portion uses wharves or jetties along the banks of the river or tiers in mid-stream. A large portion of the trade actually competes with the docks. Therefore it is manifestly unfair that they should be taxed in order to support their competitors. I admit that the Amendment which the noble Lord referred to and which was carried during the Committee stage of the Bill in the other House has improved the Bill to a certain extent. I refer to the Amendment by which this tax is limited to the thousandth part of the whole trade of the Port; but there is no provision for distributing the one-thousandth part over the whole trade. We know that transhipment trade is to be exempted; we know that part of the coastwise trade is to be exempted——

LORD HAMILTON OF DALZELL: Only a very limited part.

*LORD RITCHIE OF DUNDEE: At any rate, some part of that has been exempted. We know that the coal trade may probably be exempted. There is nothing to prevent the concentration of this tax of one-thousandth part on, say, a tenth part of the trade; that would be a tax of 1 per cent. and a tax of 1 per cent. would be a very serious thing, but whether the tax is 1 per cent. or one per mille the principle is the same. It is a bad principle, and it is grossly unfair that those who do not use the docks at all, those who are actually competing with the docks, should have to contribute towards their maintenance. My Lords, beware lest history repeats itself. A horrid vision of passive resistance passes before the eye, followed by a melancholy and endless procession of Presidents of the Board of Trade, each burdened with the corpse of a Port of London Bill mutilated and dishonoured. Consider the guile of the dock directors and contrast it with the simplicity of the Board of Trade. The dock directors first of all persuade the Board of Trade that though their income for the years 1905, 1905 and 1907 would be insufficient to meet the interest charge under the Bill, yet that in the year 1909 and the years that follow it is not only going to be sufficient for that purpose, but there s going to be a margin over and above for the general benefit of the Port, and then, by a sort of confidence trick, they cajole the Board of Trade into giving them a protective tax upon goods. A thousandth part of the trade of the Port of London does not sound a very dreadful thing, but on the basis of last year's figures it amounts to £330,000. I know that some people are sanguine enough to suppose that this Bill is going to make the Port of London cheaper. But it seems to me a trifle odd that the first step in that direction is to raise a tax on goods. I have been closely associated for some twenty years with the mercantile and manufacturing interests in the City of London. I have had personal experience of the comparative advantages of the Port of London and the Port of Hamburg, and I know that there is constant and keen competition going on between those two Ports. I have seen even in my comparatively short experience a great deal of trade diverted from the Port of London to the port of Hamburg. I know that every 1d. additional rate that is levied on the trade of the Port of London means the diversion of more trade from the Port of London to Hamburg or to some other Port. See what different methods are adopted in Hamburg. I should like to refer again to the Report of the Royal Commission. Paragraph 231, says—

> "It appears that at Hamburg the Port is not worked at a profit, and that the expenditure exceeds the receipts; the Government, however, consider that the benefit due to the influx of trade compensates the city for the specific loss, and they look to the future for an increase of shipping parallel to the increase of expenditure."

In Hamburg, the Government encourages trade at the expense of the docks. In London the Board of Trade protects the stockholders in a languishing concern at the expense of trade. I do not advocate similar methods in London. I think that trade ought to pay its own way, but I do say that we ought to hesitate long and seriously before we do anything which is likely to make it still more difficult for London to compete with Hamburg.

I understand that during the last few days there has been considerable agitation on the Stock Exchange as to the fate of this Bill, not that the Stock Exchange cares a brass farthing about the Port of London, but because certain large profits will disappear if the Bill does not pass into law. Since the Bill has been introduced, some of the stock of the London and India Dock Company has risen enormously; so vastly superior is the security of this tax upon goods to the security of the ordinary revenue of the Dock company that some of the London and India Dock stock has advanced something like 25 per cent. since this Bill was introduced. The stock-holders in the London and India Dock Company conceal their joy at this unexpected piece of good fortune when in public; they throw up their hands and say: "We are the victims of misfortune; we cannot help ourselves, we must bow to the inevitable" and all the rest of it; they conceal their joy in public, but they rejoice exceedingly in private. I can give an instance of that. A friend of mine who is the fortunate possessor of some of the London and India stock, bought before the Bill was introduced, and, therefore, showing a very handsome profit to-day, said to me recently: "If you do anything calculated to spoil the chance of this Bill becoming law, I will kill you." Out of respect to my skin rather than out of consideration for his pocket, I advised him to sell and secure his profit. "No," he said, "we think that the Dock Company made such a good bargain that the stock will appreciate still further," and he was perfectly right. He spoke to me before the Bill went through Committee in the other House, and after it emerged successfully through the Committee the stock did advance a few more points, and I have no doubt that if your Lordships pass the Bill to-night it will advance still more; perhaps considerably more. On the other hand, if your Lordships were to reject the measure there is not the least doubt that the price of the stock would revert to something like where it stood before the Bill was introduced.

It would almost seem that the main object of this Bill is to rescue the dock companies from an unfortunate situation. It is a sort of Old-Age Pensions Bill. Many of the arguments that were put forward so pathetically in favour of the Old-Age Pensions Bill in the earlier part of the year could be applied with equal pathos in support of this measure. Some of the docks are very old, far older than seventy. Some of them are very decrepit. They have served their country well in the past. They have been honest in their dealings I believe, with one unfortunate exception; shall their country desert them in their old age? No, my Lords; in the name of humanity we will support them, and in order to support them we will tax somebody else. If you pass this Bill, it will launch the new Port Authority on its career with a horrible burden of debt round its neck, bound hand and foot to an antiquated system of dock accommodation which cannot compete with many of the great ports of the Continent; unable to undertake any large and comprehensive scheme of new docks; because by doing that the old docks will be robbed of the trade on which they depend to supply the interest on their stock, and finally if you pass this measure, you will deal a deathblow to private enterprise.

I have only touched upon those provisions of the Bill which appear to me to be most unjust. There are other provisions which are uncertain in their operation. The Bill is full of uncertainties, and when we appealed to the representatives of the Board of Trade for guidance when the Bill was before Joint Committee, we were met with a reply which, towards the end of our inquiry became almost stereotyped: "Oh, you must trust the new Port Authority; you must put your trust in the Board of Trade; it will be all right in the end." My Lords, I am afraid it will be all wrong in the end, and I should be sorry to put my trust in any Board of Trade which is capable of producing such a measure as this. Sir Hudson Kearley, during the course of our inquiry, himself admitted that in some respects the Bill was a speculation. The whole Bill is a speculation, it speculates on the sudden conversion of a diminishing revenue into an expanding revenue; it speculates upon getting men capable of managing the affairs of the dock companies without paying them anything for their time and trouble; it speculates on the various interests in the Port getting their proper representation on the new Port Authority, although many of them say that they will not only not get that representation, but that they will be practically disfranchised. It is a speculation in which the counters to be used are the trade and prosperity of the Port of London. It is a speculation out of which only one result is absolutely certain to follow, and that is to make the Port of London dearer than it has been hitherto, and to render it more difficult for our merchants and manufacturers to compete with their foreign rivals. My Lords, I beg to move the Motion that stands in my name.

Amendment moved—

"To leave out the word 'now,' in order to insert the words 'this day three months.'"—(*Lord Ritchie of Dundee.*)

*LORD SWAYTHLING: My Lords, I trust you will permit me to say a few words as to the merits of this Bill from the point of view of City men. After the remarks made by the noble Lord opposite, and as I am going to vote for the Bill, I may be allowed to say that I hold no stock, neither does my firm hold any stock, nor am I in any degree interested personally in the matter. A prominent shipowner assured me that almost all the London shipowners were in favour of the Bill; they considered it a fair Bill and one which was favourable to the interests of all concerned. He considered that it was useless to expect any reduction in the dues, but he thought, and his colleagues thought, that it was better to pass this Bill as it was agreed to by the contracting parties. He said that the present companies have very small resources for making any extensions, with the exception of the Surrey Dock Company, which is prospering. The companies are doing well at the present time as regards rent because of the inactivity of trade and their warehouses are full of goods awaiting a market. The last effort failed because the wharfingers wanted to be bought out, and also because there was no price agreed upon, and arbitration, as we know, goes very generally against the purchaser. Also in the former effort they had not provided the cash with which to pay for this great undertaking, whereas now they pay in Port of London Stock, which, in its nature, will not compete with the stocks of the Government. From other sources I have learnt that the majority of traders and financiers in the City are in favour of the Bill, although those who think they can make better terms are opposing it. The docks are easily adapted to modern requirements, and there is enough land for extensions.

Germany spent in the years 1898 to 1902, £25,000,000 on a few docks, whereas in London we did not spend anything during those years, and yet the Port of London deals with a third of the whole trade of the country, estimated—I cannot vouch for the exactitude of the figures—at £350,000,000 sterling. Surely it would be an advantage to have one central authority controlling all our docks? That is the case with the other great towns in this country, and I should think that their example, and in many cases, their successful efforts, we ought to follow. I have read the Bill. It is a very long one and I cannot see anything particularly objectionable in it. I was greatly pleased to see that in Clause 29 there was a provision for establishing receiving houses for alien immigrants, thus removing a scandal which obtains and hardships which are inflicted upon innocent people when they land in this country. While their cases are being considered, they are stranded in what is to them a strange country; their resources are soon exhausted, and they have, perhaps for the first time in their lives, to appeal for charity. It is not for me to enter into the details which are contained in the Reports of the several Commissions, but I believe that this is a great opportunity to acquire, without any burden to the country, the great undertaking which the Port of London controls, and I feel sure that your Lordships will not refuse the Bill a Second Reading, because the arguments of the noble Lord who has moved its rejection are based almost entirely on the question of the estimated value of the purchase. The potential value probably is exceedingly great; it is the only part of London in which docks could be created, and this long controversy may be ended by this Bill. I trust your Lordships therefore will give it a Second Reading.

*LORD LEITH OF FYVIE: My Lords, I had the honour of being appointed, as representing your Lordships' House, a Member of the Joint Committee. I was at the first meeting of the Committee, and there came up a question as to whether as a Committee we were to accept the Second Reading of the House of Commons. I objected to that for the simple reason that I was not *au fait* with what had been done with the previous Bill, and, therefore, I wanted to hear it in your Lordships' House thoroughly discussed and thoroughly considered. I therefore objected to that principle of accepting the House of Commons Second Reading, but it was understood that values and all other particulars should be thoroughly open to the Committee and investigated. The first act of the Joint Committee was to pass a resolution. I was not present, but I thought that the wording was entirely satisfactory in that respect. It was to accept the principle of purchase, which I must confess I do not yet understand, and that all values and all questions were to be thoroughly opened out and ventilated and investigated. As we went on in the investigation of the case it was very evident from the decision of the Chairman of the Committee that it was impossible for the minority representatives to get a hearing. I remonstrated by letter and also by word in the

Committee against this policy, because I thought it was not at all wise, just, or equitable; but it was pursued, and it was pursued up to the time that I left the Committee. I hold that this question of the principle of purchase must be as well by valuation and arbitration as it is by negotiation, and when we came to investigate, I was surprised, as one of your Lordships' Committee, to be met with the argument that the contract as between buyer and seller was sealed, and could not possibly be opened up to your Lordships' Committee or to the Joint Committee. We also, on investigating with the experts were met by the engineer's statement that his report even was not open to the Joint Committee. We had before us the experience of the Royal Commission and the experts they employed, who distinctly in detail warned the Royal Commission against the docks being taken as they were, and we asked about that, but everything was shut down, everything was stopped. I tried to get information from the engineer as to what the particulars of the investigation were, and in that cross-examination it came out that he had been from ten to twelve days with one assistant going round the docks. At last he admitted that he could not tell me what his instructions were from the promoters, but he admitted that what he did and what his assistant assisted him to do, was to check the reports of the engineers of the dock company, the sellers. Now nothing could be more unreasonable than for a Committee to consider the engineer's reports, for many years perhaps, on the property that the sellers were proposing to sell. I therefore remonstrated very strongly on that point, but I was met with the argument from the promoters that they could not show contracts; that it would be a breach of faith with the sellers—a perfectly unreasonable method in a negotiation of any kind, one which would be unreasonable even if this were not a Corporate Act, which of course it is, because it is promoted by the Government, and immediately the Government promotes it all liability ceases on the part of the Government; there is not a penny that the Government will stand by the poor stock holders of the dock company to protect them. They make rules and regulations as to the present condition of the authority and up to that point they are the power. The values of these docks were, as the expert accountants gave them, checked upon the basis of a six years business, which the noble Lord introducing the Bill, and also the noble Lord objecting to the Bill, admitted. As a business man, I object to a proposition being put to reasonable men that it is a good purchase to buy property on the basis of an income which, by the figures I hold in my hand, represents the highest income they had ever had in the history of their business, and which also represents an estimate of the accountants of a possible speculative saving of £18,000 per annum by this transaction, all of which, under any consideration of Corporate Acts, would have been scratched out and not allowed in promotion by the Corporate Law which we passed last year.

Then, my Lords, with regard to the margin which I am sure you would say ought to be a conservative one, in this case it is certainly less than one-tenth of 1 per cent., and yet the basis of the valuation is based on the full maximum. That is certainly a warning to anyone investigating. Of course, I had a judicial position on the Committee, and when it came to a question for the Committee to decide whether it would pass the stocks as proposed in the Bill, my noble friend Lord Ritchie and myself, two in a quorum of six out of ten, voted against the B Stock. I then moved an Amendment which you will find in the Committee's Report which would have simplified the matter as regards the direct liability on that stock from year to year. My Amendment was based on a very usual practice in all reorganisations, that where you are estimating and speculating on future values you should not make the commitment a fixed charge—in other words, in this case there is a fixed charge for the total amount. My Amendment was that you should make the whole of B Stock, or certainly an amount equivalent to the amount of the present deferred stocks in these dock companies which it is proposed to buy—there is something over 6,000,000 of those deferred stocks, some of them bearing no dividend, and some of them, like the Surrey Dock, bearing a dividend of 5 per cent. very steadily; whereas in the case of the East India Dock Company their stock in the last of the six years on which the estimates were based only paid a 3 per cent. dividend, their dividends during the years on which these valuations are based commencing at 1¼ and working up to 4 per cent., and yet it is said that it is fair to put it at the maximum rate that they have ever paid. I again say it should be on a stock that was not chargeable on the rates, or, at any rate, that it should be only on net dividends. My Amendment was a case of swopping one stock for another on the same basis as the original stock. But I was in a minority, and being in such a minority and finding myself having to go on with a business to which I was absolutely opposed—because I did not consider that the methods were honest, and that to continue with the values as they were proposed was distinctly dishonest—I went to Lord Onslow and asked him if he would relieve me from that Committee. That, as your Lordships know, was done by appointing another Member of this House to take my place.

The principal points in this Bill as I have considered them are these; if you carry the Bill to a Second Reading and attempt to amend it you will find what we found on the Committee, that you must not touch this in any way, because if you touch it you will spoil it; if you scratch this baby the baby will die at once; and it is not a question of amending it in any way. The only practicable Amendment possible in the very short time your Lordships have before the end of this session would be to appoint the authority, give it the necessary power of appointment of managers, and let those managers get to work and get into the saddle; then when they have had experience of the necessities of the Port of London they should be allowed to draw up a scheme, having regard to the principle of the thing as admitted by all the Royal Commissions and everybody else doing business in the Port of London, for the necessary financial requirements of the future. In the Bill they have allowed that at £5,000,000, but there is not in the Bill a scrap of security left; they have skinned the whole thing into the present stocks that they have promised to give away. They have not allowed any security on which to borrow money; the only thing they can find as a security to borrow money on is a rate on goods, a thing that has never been done in the Port of London yet.

My Lords, in passing this Bill, you will assume the responsibility for doing something that has never been done before; you will make the Port of London, from being a cheap port, the dearest port of all, and you will gradually see it go down in the face of the competition of every other port. I can refer to every other port in the kingdom; the Clyde, the Mersey, the Humber, and all of them are looking forward to this Bill becoming law, because, in their opinion, if it is passed in its present shape, London will immediately lose 16,000,000 tons of coal. Coal merchants will tell you that 1d. on the ton will turn the balance. If you go to other merchants, those engaged in the wool business, for example, they will tell you that it takes only an infinitesimal amount to turn it, and that anyone giving facilities for handling wool will get the business. I am not opposed to the scheme, but I am in every way opposed to so mortgaging it before-hand, and so slipping a mill-stone round the neck of this proposed authority that it will be impossible for it to do anything. The consequence is that you will get second-class and third-class men to manage this enormous Port of London. Not only that, but there has already been considered as a possibility, the introducing of municipal progressive methods into the Port of London. What will that mean? It will mean the repetition of what went on in the London County Council in the matter of municipal trading; it will be a repetition of Poplar in their methods, because it is unquestionably based on unbusinesslike irresponsible methods; they will spend the money first and then find out what the trade is really wanting.

My Lords, I will not detain you longer. There are several other business points about it, but they are ones that come up, or would come up, in Committee.

All I wish to do now, is very earnestly to warn your Lordships that you will do a most dangerous thing if you pass this Bill. I refer you to anyone doing business in the Port of London, if you need confirmation of what I say. You will reduce labour and increase the unemployed. You are bound to do that whatever is done. I have asked those who are doing large business in the Port of London to speak out and say if they are in favour of this Bill, but I have not got one single interest to speak in favour of it since the Bill has been before your Lordships' House until this afternoon, when there was the telegram that Lord Ritchie got from the Beefeaters Association. I do not know what they are nor does anybody else. They are not in the Directory anyhow. That is the only corporate thing in any shape or form that has come before us. The whole City of London has been canvassed to find somebody who will say a word in favour of the Bill, and naturally, as a business man, I cannot appreciate how your Lordships can possibly pass a Bill into law when it is opposed by the whole of the interests of the Port of London.

*THE EARL OF ONSLOW: My Lords, I intervene in this debate, merely to draw your Lordships' attention to the stages which this measure has gone through and to the position which it now occupies. I confess I read with considerable surprise that my noble friend Lord Ritchie intended to move the rejection of this Bill, and for this reason: that my noble friend was upon the Joint Committee to which the Bill was referred, and I should naturally have supposed that he would have taken some opportunity during the progress of the proceedings of that Committee to place on record his entire dissent to the whole principle of the Bill. But I have looked through the proceedings of that Committee from end to end, and I find a paragraph to the effect that the preamble was declared to be proved. The only difficulty about that is that there is not any preamble to the Bill at all. Therefore, I do not find great fault with my noble friend for not protesting against a preamble which had no existence. But, at any rate, there were other methods open to the noble Lord, and he might at any time during the progress of the inquiry have placed on record his dissent to the Bill as a whole.

LORD RITCHIE OF DUNDEE: May I interrupt the noble Lord. I do not know whether he was in the House when I spoke.

THE EARL OF ONSLOW: Yes.

LORD RITCHIE OF DUNDEE: I pointed out that when we came to consider the provision of the Bill which deals with the transfer of the docks to the Port Authority, I opposed it as strongly as I could. I opposed it with the full knowledge that if I had been successful in my opposition the Bill would have been dropped, because we received an intimation from the Board of Trade, or it was generally understood at any rate, that unless that particular clause dealing with the transfer of the docks to the Authority was accepted as it stood, the Bill could not proceed. I opposed that provision of the Bill then, and I oppose the Bill now, and I maintain that my action in both cases was entirely consistent.

*THE EARL OF ONSLOW: I entirely endorse what the noble Lord has said. I am thoroughly aware that the noble Lord did oppose Clause 3 of the Bill. But there is something more than Clause 3 in the Bill; there is the question of whether it is right or whether it is not right that the docks should be purchased. That is the first and most important point in the Bill. It is quite true that the Committee at its earlier meeting, I think at its first meeting, decided to accept the principle of purchase while they reserved to themselves the right to investigate every detail of the Bill, and I think my noble friend was a party to that decision.

LORD RITCHIE OF DUNDEE: I am extremely sorry to interrupt again, but I would like to remind the noble Lord that it was on his advice that the principle of purchase in the Bill was accepted; indeed I have a letter from the noble Lord himself in which he says that he thinks probably on the whole it would be advisable to recognise the principle of purchase.

*THE EARL OF ONSLOW: If I may be allowed to correct my noble friend, I think the point was that while it was within the competence of your Lordships' House to reject the Second Reading, that is to say, to object altogether to the principle of the Bill, I thought for convenience of procedure it would be well for the Members of your Lordships' House on the Joint Committee to fall into line with what undoubtedly was the position upon which the Members of the other House went into Committee, namely, that the question of principle was one which had been decided by the House of Commons, in consequence of the Second Reading of the Bill in that House; but that in no way prevents this House from dissenting from that position, and if your Lordships are prepared, as perhaps you may be, to decide against the recommendations of the Royal Commission of 1902, that there should be a single public authority to regulate the docks, that the transfer of the powers of the Dock Companies should be made to some authority in the nature of a Port authority, and that there should be a transfer of the powers of the Conservators of the River Thames, it is quite within the competence of your Lordships to do so. You will, of course, in that case be taking a different line from what was taken by the Government of 1903 and by the findings of Lord Cross' Committee, and you will be taking a course which is in opposition to that of the Resolution of the House of Commons in March, 1906, when they declared that the time had come for placing the Port of London under one authority. I venture to think that your Lordships can only reject the Bill upon those grounds or upon two other grounds, that the price is excessive, and that the new authority will be unable to pay its way, or that the representation of the various interests in the Port of London and in the River Thames have not due and proper representation on the Port Authority.

Now as to those two points I would venture to put it to your Lordships whether you really are in a position to exercise a mature judgment. Both those matters were most carefully gone into by the Committee, and I was very glad indeed to hear that my noble friend Lord Ritchie, though he was not convinced, clearly admitted that the whole case as to the price to be given was put before the Committee, and that by a majority, a large majority I think I may even say, the Committee decided to recommend Parliament to report the Bill containing both those propositions to the House. The price is named in the Bill, and, although the contracts may not be disclosed, it is open to every one of your Lordships to see exactly how much is to be paid for these dock undertakings. There was more than one division, I think, in the Committee, but there was one in which there were five on the one side and two on the other, the division to which my noble friend Lord Leith has referred, and your Lordships, no doubt, before the conclusion of this debate will hear something from other noble Lords, Lord Milner and Lord Clinton, both of whom were members of the Committee, with regard to it. I venture to think that your Lordships will incur considerable responsibility if you reject this Bill upon Second Reading after it has been exhaustively examined by a Joint Committee.

And, my Lords, who are the people who are petitioning your Lordships to reject this Bill? I have a letter here which I dare say has been sent to a great number of other Members of your Lordships' House from the Port of London and River Thames Defence Committee. That Committee consists of the Corporation of London, the Thames Conservancy, the London Waterside Manufacturers' Association, the Association of Master Lightermen and Bargeowners, the London Direct Short Sea Traders' Association, William Cory, Limited, and the Councils of Middlesex and Kent and the West Ham Corporation. I have spoken to the noble Lords who served on that Committee, and I think I am right in saying that every one of those authorities petitioned and was represented by counsel and proposed Amendments, most of which were not accepted by the Joint Committee. Therefore, your Lordships will see that the opposition which is put forward in your Lordships' House, whatever may be the value and the weight of it, at any rate is not new opposition which has not been carefully considered already by the Joint Committee. Therefore, unless your Lordships are prepared to say that the Committee is a Committee in which you do not think you can place confidence, and that the whole matter ought to be re-opened, I venture to think that, in accordance with the usual practice of your Lordships' House, you ought to trust to the judgment of the majority of that Committee.

*LORD LEITH OF FYVIE: Might I interrupt Lord Onslow for a moment? I would like to put this to him. You say that the Committee allowed these petitioners to be heard. Will you allow me to refer to the Report in which the Chairman of the Joint Committee says—

> "We have ruled out the principle of the purchase of the docks and the principle of these agreements for purchasing the docks. It is not open to this Committee to vary these agreements."

I only served on this Committee up to a certain point, but I heard that said day after day by the Chairman of the Joint Committee to the counsel of these petitioners.

*THE EARL OF ONSLOW: I am really sorry, but I am afraid, after what has been said by the noble Lord, that I must ask your Lordships to look at what did actually take place on the question of the purchase price of the docks. I am reading at page 289. The Chairman said—

> "The position that the Committee take up is simply this. We have ruled out the principle of the purchase of the docks and the principle of these agreements for purchasing the docks. It is not open to this Committee to vary these agreements; we are not arbitrators; but it is open to this Committee to reject every one of these bargains and substitute an arbitration if we like. If you move that sub-clause (*a*) or *b*) or (*c*)——"

—those are the clauses having regard to the terms of purchase—

> "should be struck out, we shall be bound to hear you."

Upon that there was moved on behalf, I think, of the Shortsea Traders to leave out in Clause 3 the words from "the first authority," to the end of the subsection. That is to say, to leave out the whole of the clause which embodied these terms of purchase. Then witnesses were called and finally counsel addressed the Committee, and the late Sir Ralph Littler said—

> "Surely the Committee will pause before they say that subsection (*a*) of this clause shall be passed."

And he went on to say that if his arguments were right subsection (*a*) must go, and—

> "If you find no other resource then the only other resource is arbitration."

That is to say, the principle of purchase by agreement as against the principle of purchase by arbitration was placed before the Committee, and I think I am entitled to say distinctly rejected by them.

May I call your Lordships' attention to the composition of that Committee? The Committee consisted in part of Members of your Lordships' House, and also of Mr. Russell Rea, a large shipowner of Liverpool, who I am told has no interest in the docks or the Port of London, Sir Albert Spicer, a member of the London Chamber of Commerce, Mr. Williamson, a member of the Mersey Docks and Harbour Board, Sir William Bull, Member for Hammersmith—who, I think, said in another place, that he went into the Committee greatly prejudiced against the Bill, but came out strongly in favour of it—and Lord Castlereagh, the son of my noble friend Lord Londonderry, who usually sits on this bench. I venture to say that is a strong Committee, and I hope your Lordships will pause before you throw over its recommendations. When the time comes I shall have something to say about some of the clauses in the Bill, some of which I agree with, but only in part, especially those which deal with the taking of land compulsorily otherwise than in the usual way by promoting a Bill in Parliament. But those are matters of detail for consideration in Committee.

There is another point, and one that has been, I think, somewhat strongly urged, that we have arrived now at a time of the session when it is extremely difficult for your Lordships' House to consider carefully the Amendments put down for the Committee stage, and it has been suggested that the procedure might be adopted which was adopted in the

Bill of 1903, of carrying it over to the next session of Parliament. But, my Lords, there was no reason why the Bill of 1903 should not be carried over. That was a Bill of an ordinary character, and the terms of purchase were by arbitration and not by agreement. But in this particular Bill, I am given to understand—the noble Lord in charge of the Bill will correct me if I am wrong—that the agreements which have been entered into by the Board of Trade for the purchase of the dock undertaking will last only until 31st December in this year, and that, therefore, if your Lordships should decide to carry the Bill over, the risk will be run of losing the advantages of those agreements, although it is, of course, quite possible that those who entered into them in 1908 may be equally willing to enter into them in 1909.

I have said all that I have to say upon this subject. I am not going to enter into the merits or the demerits of the Bill. I only want to point out that it has been referred to a very strong Joint Committee of both Houses of Parliament, and to urge upon your Lordships that you should consider carefully before you decide to reject the Bill the principle of which has been affirmed by the majority of that Committee.

***Earl CROMER**: My Lords, I shall detain your Lordships but a very few minutes, for I am not going to deal at any length with the general merits or demerits of this Bill. For myself I may must say that, although the Bill is possibly capable of being amended in Committee, it appears to be an honest and praiseworthy endeavour to deal with an extremely difficult subject; therefore, if we go to a division I shall certainly vote in favour of the Bill. The noble Lord, Lord Leith of Fyvie, said that the City of London had been canvassed in vain to get supporters of this Bill. I have no sort of authority to state what the opinion of the City of London is, but it did occur to me that it might be of some use to ask Lord Revelstoke, as he was Chairman of the Commission, what he thought of this Bill. He is at this moment in America, but I had some conversation with him about it before he left, and I telegraphed to him this morning and asked him what his opinion was. I received his reply during the course of this debate; he says—

> "I should sincerely regret the rejection of the Port of London Bill."

I think, as Lord Revelstoke was the Chairman of the Commission, that perhaps your Lordships will attach some weight to his opinion.

But it was not to make this statement that I rose. I should like to deal with one point which has not yet attracted attention. It is really, strictly speaking, more a point for the Committee Stage, but inasmuch as a very important question of principle is involved, and inasmuch as I think also that perhaps the noble Lord opposite in charge of the Bill may like to consider the suggestion I have to make before the Committee Stage comes on, I claim your Lordships' indulgence while I speak on that point for a very few minutes. I allude to the question raised in the sixth clause of the Bill. I need not read the clause, it is a very long one; it will be sufficient for my purpose if I say that under that clause certain subjects, notably the acquisition of land, which up to the time have been dealt with by Private Bill legislation, may in future be dealt with by the Board of Trade without any legislation, at all, though any Order, other than a Provisional Order that is made, has to lie on the Table of both Houses for thirty days with a view to giving an opportunity for any objection being raised. This is a very important question, and I think it ought to be very fully considered before anything is done.

I am able to speak with some little experience of this question of Private Bill legislation, because during the last year the noble Earl, the Chairman of Committees, seems to have got into the habit whenever he is looking out for a Chairman of a Committee to pounce upon me. The result is that I have spent about three out of the last nine months in the Committee rooms of your Lordships' House listening to speeches of counsel at all times interesting, but sometimes rather prolix.

The conclusion I have come to is that this question of Private Bill legislation is one which will, sooner or later, demand the serious and earnest attention of Parliament. I assure your Lordships that as far as I have been able to see, the waste of time and of money is really almost beyond description. I know how very difficult it is to apply a remedy, and I am certainly not going into the general question now; but as this clause has been the subject of a good deal of discussion I do wish to say something on the question of principle. Let me give your Lordships a case in point. A few months ago I was the Chairman of the Committee appointed to deal with the question of the supply of electricity in bulk to London. We sat for two and a half months. I see three of my colleagues, Lord Sanderson, Lord Welby, and Lord Lamington, present, and I think they will confirm what I say. Our inquiry was preceded by an inquiry held under Lord Camperdown's chairmanship in 1905, and I know I am under-stating the fact when I say that the total expenditure on those Committees was over £100 000, Thats a gigantic figure as it appears to me. We sat for two and a half months. The Bill then went to the House of Commons, and it was there wrecked for reasons which I need not go into now. The result was that the whole of that money was wasted. Of course, anybody who goes to law must expect to spend some money, but I really do not suppose that such a case has ever been heard of, people spending £100,000 in an ordinary civil suit, and the difference is that in an ordinary civil suit one does have the satisfaction of getting something decided. The peculiarity in the case of this Committee, and it is often the case in other Committees also, is that after spending all that money nothing was decided; it goes on, and the same thing begins again in another session. That is not a satisfactory state of things, and on those grounds I very warmly approve of the general principle embodied in this clause, which is to allow the Board of Trade and the Government Departments to have greater freedom in dealing with these matters. I mention it because I repeat it has been a good deal discussed and criticised.

But although I agree with the general principle, there are some points which I should like to allude to, because I think perhaps the noble Lord in charge of the Bill may like to consider them before we get to the Committee stage. Your Lordships will observe, if you look at the Bill, that the Board of Trade before they deal with the question are to appoint an impartial person to hold a public inquiry. If we are going to withdraw from the public the guarantees of safety which are now derived from being able to appear before these Parliamentary Committees, we ought to take as much care as we possibly can to provide other guarantees in order that the public inquiry should command confidence. Nothing has struck me so much as the great confidence that has been displayed by those who come before us in Committee, both on the part of lawyers and on the part of witnesses, in the thorough impartiality of the inquiries conducted by your Lordships' House, and I have no doubt the same applies to the other House, although as I have never been a Member of that House I cannot speak with authority on the subject.

There is nothing said in this clause as to whether the individual who holds the inquiry is to call witnesses or not. I understood from what was said in another place by the President of the Board of Trade that witnesses would be called. I think it is worth considering whether something specific should not be laid down in the Bill on that point. Then again nothing is said about whether counsel are to be heard. That is also a point worth considering. I do not want to express any opinion on the point now, but I think it is one that deserves consideration. There is one further point which I think is of still greater importance; it is said that the inquiry should be conducted by an impartial person. That is a very vague term. I suppose there is no man living who does not think that he is impartial; we all think that we are impartial, but there are a great many standards of impartiality. For instance, there is the standard of impartiality which is adopted by the noble and learned Lord on the Woolsack, and by the other learned law Lords when they sit in their judicial capacity. That is probably the highest standard of impartiality to which fallible human beings can attain. Then there is the standard of impartiality of the party politician; that has generally, by the outside world, been considered not quite so high a standard. Then there is the standard of impartiality of a person concerned in matters connected with Government who is not a Government official; and there is also the standard of impartiality of the Government official who may, perhaps, even unconsciously, be somewhat biassed by the fact that his advancement and promotion depend upon his employers. The importance of this point has been forcibly brought to my mind recently, because I am at this moment dealing with an investigation as to the desirability of the amalgamation of certain towns in what are known as the Staffordshire Potteries. The President of the Local Government Board went down to the Potteries and made a strong speech in favour of amalgamation. Subsequently an inspector of the Local Government Board was sent down to inquire, and I know that several of my colleagues will confirm me when I say that there were a good many complaints that that inquiry was not an impartial one. I do not for one moment mean to say that I am expressing any opinion with regard to those complaints, but certainly many complaints were made, and I am sure that the noble and learned Lord on the Woolsack will confirm me when I say that when it comes to anything in the nature of a judicial inquiry it is not only necessary that the Judge should be impartial, but almost equally necessary that everyone concerned should be convinced of his impartiality. I venture to suggest that it would be very well worth while to consider whether it should not be provided that the impartial person should be somebody not connected with the Government at all, or at all events not connected with the special Department concerned. I do not say that I am prepared to move any Amendment, but I hope the noble Lord in charge of the Bill will consider the point before we get to the Committee stage, because, in my opinion, it is really one of considerable importance.

*LORD AVEBURY: My Lords, the noble Lord who has just sat down quoted a telegram from Lord Revelstoke who, no doubt, speaks with very high authority on any subject connected with the commerce of London. We all know that Lord Revelstoke has paid a great deal of attention to this subject, and that he is in favour of a strong Port Authority for the Port of London. So am I, but I am not in favour of a Port Authority which is brought into life with a millstone round its neck, and I very much doubt whether Lord Revelstoke who, of course, has not seen this Bill in its present form, would, if he had done so, have given it his support. The only noble Lords who have spoken besides myself who have any experience of the business in the Port of London, Lord Ritchie and Lord Leith, have spoken very strongly against this Bill, and I desire to give them my earnest support. Lord Swaythling, who addressed your Lordships from the other side of the House, said that he spoke for financiers. No doubt some financiers have a great interest, as Lord Ritchie has pointed out, in seeing this Bill pass into law, but we speak for another class. I represent the Corporation of London, the Short Sea Traders, the London Manufacturers' Association, the Lightermen and Bargeowners, the Thames Conservancy, my own County of Kent, and the County of Essex. The noble Earl, Lord Onslow, has tried to throw some discredit on their opposition because he says they were heard before the Committee. But they were not heard before the Committee on the most important point of all, the great question in this Bill, whether you are going to invest twenty odd millions of money in buying up the docks of London. That is one of the great questions in this Bill, and that was from the beginning ruled out of order by the Chairman. Who are these people whom I represent? The Short Sea Traders represent most of the shipping and pay half the dues that are paid in the Port of London, and they are most strongly against this Bill; the London Manufacturers' Association have invested £70,000,000 to £80,000,000 along the river in their manufactories, and they are very much against this Bill too, both on the ground that the Bill will inevitably make London a dear port, and on the ground that it will drive away our trade and commerce. Then there is the Thames Conservancy and the counties of Kent and Essex, who are, I believe, mainly interested in that vital part of the Bill, the constitution of the Port Authority. Those whose views I am representing held a meeting a short time ago at which they unanimously passed this resolution—

> "That this Conference of representatives of industrial, trading and carrying associations and public bodies interested in the Port of London, and specially convened to consider the Port of London Bill as amended in Committee, hereby records its conviction that the provisions of the Bill, more especially those providing for the transfer of the docks to a public authority, and determining the financial basis of that transfer will, if passed into law, disastrously affect the industrial, trading, and carrying interests of the Port of London."

These are the people whose livelihood depends on the Port of London, and they are all opposing this Bill, and they have asked me to oppose it in your Lordships' House. I challenge your Lordships, can any business interest in the Port of London be brought before you who approve this Bill; and I ask your Lordships, when we have now, at the end of the session, had no opportunity of thoroughly considering it, are you going to pass a Bill which is opposed by practically the great majority of those who are interested in the trade of the Port of London?

With regard to one of the remarks made by the noble Lord (Lord Swaythling), we are not against a Port Authority. We are in favour of a Port Authority, but we are against this Port Authority, and against the saddling of it with this immense responsibility. There are two main objections that we feel to the Bill. We oppose this Bill first, because it is an interference with, and another nail in the coffin of, private enterprise and another step in the direction of Socialism; and secondly, because it will inevitably make the Port of London more expensive, and thus drive away trade. As regards the first consideration, the essence of Socialism is twofold; the first principle is to take away property from those who own it, and give it to others; the second is to destroy private enterprise, to municipalise it and substitute for it public undertakings. As regards the first head, I make no complaint against the Bill. We quite recognise that the Board of Trade have endeavoured to treat the dock shareholders, and indeed my noble friends who have spoken on this side of the House consider that the Government have done rather too much justice to the docks. I have no objection, therefore, on that score; our objection comes under the second head, and we do say that bit by bit, year by year, and step by step, we are undermining private enterprise, that private enterprise on which the prosperity of the country so much depends. One year it was the telegraphs. We have lost several millions by taking over the telegraphs. Another year it is the telephones; we shall lose a great deal by taking over the telephones. Two or three years ago we took over the water companies, and at the present moment four of the districts in the Metropolis out of the eight supplied by the Water Board are paying more dearly for water than they would have done if the water companies had been left alone. Another year it was the London steamers. The disastrous result of the abolition of the water companies and the experience we had of the Thames steamboats is an experience which makes us feel very strongly against this Bill. Public management is always more expensive than private management. As Lord Ritchie has told you, the sum involved in this Bill is over £22,000,000; the annual expenditure is £800,000; and there is a trumpery margin of £9,000. This supposed surplus of £9,000 is arrived at, even assuming that all the estimates of the engineer and the accountant are perfectly correct, because he imagines that the Port Authority will save £18,000 on the expenditure of the docks. That is contrary to the whole of our experience. Public management is always more expensive than private management, and it is just as certain as I am standing here, that you will find the expense of the docks under public management will be greater than it has ever been up to the present time.

We none of us object, in fact, we all of us, I think, are in favour of a considerable expenditure upon the river and I believe that those who use the river are quite prepared to bear their share of any expenditure that may be necessary in order to improve the river, but why should they bear a share of expenditure which is merely for the purpose of paying interest upon this Dock Stock? I have alluded to many bodies in the City who are opposed to this Bill. The London Chamber of Commerce has been referred to. The only resolution passed by the London Chamber of Commerce is as follows:—

> "That, in the opinion of this Council, the President of the Board of Trade should be informed, in reply to his request: That, from the commercial point of view, the compulsory purchase of the docks is regarded as inexpedient; also, that the imposition of heavy dues on goods is opposed to the general feeling and action of the Chamber; but, subject as above, the Council confirms its previous resolutions in favour of the constitution of a representative Port Authority for London, with adequate powers and financial resources, the latter of which should be aided by State guarantees and contributions."

This Bill contravenes everything in that resolution. There are no State guarantees or contributions. I feel the force of what was said by the noble Lord in introducing the Bill against any such guarantee, but that was one of the conditions on which the Chamber of Commerce based its consent to the Bill. I do not know whether I shall be told that this is not a compulsory purchase. It is not a compulsory sale, at any rate, because the docks are selling willingly, but the Port Authority is saddled with this purchase, whether it wishes it or not, and I venture to say, therefore, that the present Bill entirely contravenes that resolution.

Then my noble friend, Lord Onslow, attaches great importance to the action of the Joint Committee. But, my Lords, the Joint Committee never considered what is really the principle of the Bill, they took it for granted that the docks were to be purchased, and the first ground on which we object to this Bill is because that has been done. At the very first meeting, I think it was, the Chairman of the Committee said—

> "We have decided to exclude from the discussion before this Committee the question of the principle of the purchase of the docks."

And, therefore, it is not open to anybody to say that the Committee were in favour of the purchase of the docks; they never considered the question, they never heard the arguments against it, they took it for granted that that was to be done, and the only thing they went into was the question of price.

Now, my Lords, why should not this Bill be carried over? It is a Bill which vitally affects the City of London, and we have really had no time in which to consider it. The noble Lord, Lord Onslow, says that it cannot be carried over, because if it is carried over these arrangements with the docks will fall through. We suggest that the docks will be only too glad to make those arrangements over again. Just consider what it means. The noble Lord, Lord Ritchie, gave you the evidence of what the effect has been upon the price of Dock Stock, and when the effect on the price of Dock Stock has been so great is it not perfectly clear that if you do carry the Bill over the directors of the docks, as sensible men, will be very pleased to make again the same arrangement? No noble Lord has given us any reason why the docks should be purchased? venture to say that the noble Lord introducing the Bill gave us no reason whatever why these docks should be purchased. There are miles of other wharves and warehouses along the river which you are not going to buy. Why should you buy those belonging to the Dock Company and not the others? It is surely very undesirable that the Port Authority should own some warehouses, and thus come into competition with the others. The noble Lord in charge of the Bill said that the trade of London was going down, and that it was necessary that something should be done. Would you believe it that in the last four years the trade and commerce of London has gone up £64,000,000, and yet it is said that this Bill is absolutely necessary, because the trade and commerce of London is going down.

Now I come to the next most important part of the Bill, that is the question of what the Port Authority is to be. There is no port in this country which has a Port Authority at all resembling that which is proposed in this Bill. In the other House on 11th November, when the Bill was under discussion, both Mr. Bonar Law and Mr. Balfour made some remarks on the Port Authority as proposed in this Bill. Mr. Bonar Law said that—

> "You could not possibly have a worse system from the point of view of dealing fairly with existing interests than the system in the Bill."

That was Mr. Bonar Law's opinion as regards the constitution of the Port Authority urged in the Bill. Then the Leader of the Opposition pointed out that this Bill gave—

> "A sectional representation with this great disadvantage, that only one section would be represented, that was the section which dealt with the docks and not with those great interests which were involved in the use of the river outside the docks."

He went on to say that—

> "That was the fundamental and essential difficulty, and that in reality the effect would be that the electors who had it in their power to control the management of the whole Port of London would be the owners of the docks, and the owners of the docks alone."

That is one reason why Kent and Essex and West Ham and the Corporation of London and these other bodies whom I am representing are opposing this Bill, and with the high authority both of Mr. Bonar Law and of Mr. Balfour, that this proposed authority is a radically bad authority, I most earnestly appeal to the House not to pass the Second Reading of the Bill.

May I give your Lordships one other authority, that of the London Chamber of Commerce itself. Mr. Pillman, who represented the London Chamber of Commerce, said that they felt very strongly—

> "That the elected members of the Port Authority as proposed in the Bill were too small a number to enable the difficult and complicated business of dock management to be successfully carried out."

And then he was asked—

> "Whether in saying that he was saying it from a ripe judgment and knowledge of the complicated nature of dock business and trading business in the Port of London,"

and he said—

> "Yes, not only would they not be sufficient in number but that you would not get a knowledge of the interests of the various trades in the management of the dock business which is so very essential, the dock business being essentially a business which required a considerable amount of technical knowledge which only those who were versed in the trade were properly qualified to exercise in the administration."

There you have really the highest possible authorities showing you that the constitution of this Port Authority is eminently unsatisfactory and is almost certain to lead to disaster.

Then we are sometimes told that a trust of this kind works very well in Liverpool, so why should it not work in London. The supporters of the Bill brought up before the Committee Mr. Thorne, a very able man, solicitor to the Mersey Docks and Harbour Board, to give evidence in favour of the Bill, but he was obliged to point out that the Liverpool Dock Board was a totally different Board from that which is proposed in this Bill. There is no municipal representation on the Dock Board of Liverpool; it is entirely composed of those who have an interest in the trade and commerce of Liverpool; and when he was asked about the constitution of this Port Authority he said he—

> "Was bound to answer that he considered the Liverpool Board was a much better Board than the one which is proposed in this Bill,"

and we think he was perfectly right. What is the weight of authority on the two sides—what is the weight of authority in support of the Bill and against it? Several noble Lords have spoken in favour of this Bill, but there has been no noble Lord who has been connected with the trade and commerce of London, and I do not think there will be. Those who are interested in the trade and commerce of London are, as far as I know, or at any rate most of them, against the Bill, and I represent here, as I said before, the Corporation of London, the London Manufacturers' Association, who have invested £70,000,000 or £80,000,000 along the river; I represent the Short Sea Traders, who pay one-half of the dues of the Port of London; I represent the Thames Conservancy, and the Lightermen and Barge Owners' Association, the members of which body obtain their livelihood on the Thames, and whose livelihood depends on the prosperity of the Port. I ask who is there on the other side connected with the Port and the trade and the commerce of London who is in favour of this Bill? Is it not a very remarkable thing that we should be asked at the fag end of the session without having had any time in which properly to consider this Bill and without your Lordships having any opportunity of making inquiries outside this House, to pass a measure which is certainly of vital importance to the trade and commerce of London against the opinion of those who are engaged in that trade and commerce, who have worked at it all their lives? My Lords, on their behalf I appeal to this House not to pass a measure which in the words of the resolution which was unanimously passed by those whom I represent, will, in their opinion make the Port more expensive and thus disastrously affect the trade and commerce of London.

LORD CLINTON: My Lords, I think that I am the fourth member of the Joint Committee who has risen to address your Lordships, and I fear you may think, from the very unanimous disagreement of the members of that Committee, that we must have had a very inharmonious gathering. I can assure you, my Lords, that nothing is further from the facts. Although I disagree entirely with two of the members of that Committee who have spoken, yet I can assure your Lordships that we spent a most happy eight weeks in listening to some of the most tedious and oft-repeated evidence that it has ever been my unfortunate lot to endure. I do not wish to follow my noble friend Lord Leith, in his terrible foreboding as to what is going to happen to the Port of London and to the British Empire if this Bill should unfortunately pass, but I do wish to say that I listened with something like great interest to him when he described himself as an oppressed minority on that Committee. It is a curious fact, but I do not think that either I or any other member of that Committee would have discovered that fact unless the noble Lord had told us so himself. I believe if your Lordships will look into the print of the Report of that Committee you will find that the time taken up by the noble Lord during the period that he was a member of the Committee was at least ten times as much as that taken by any other member, and I think he had a full opportunity of relieving himself of that position of being an oppressed minority; I am quite certain that other noble Lords on that Committee will agree with me when I say that our Chairman, Mr. Russell Rea, treated every member of the Committee and every interest on that Committee with great impartiality, and there was no excuse for anyone being in an oppressed position.

I disagree with those members of the Committee who have spoken so strongly against this measure, because I believe that the Port of London is most urgently in need of a remedial measure of this kind. The evidence which was placed before the Committee proved perfectly conclusively to my mind, that unless there was a vast improvement in the management, and in the maintenance of the docks, and in the waterways of London, it was quite impossible for the Port ever to regain that position that it once held as the first Port of the Empire, and I do not believe that it is possible that those absolutely necessary improvements in the channel docks, and other things can be carried out as long as the management and maintenance of the Port remains in so many different hands. I believe the first essential of improving the Port of London is to do what every other port in this country does, to put the management into the hands of one authority, the Port Authority. When the noble Lord who introduced this measure spoke, he laid before us a most interesting historical summary of what had been going on in the Port, and the Report of the Royal Commission issued in 1902 states absolutely clearly that there is very serious danger of the Port losing its trade unless some measures are taken to prevent it. What was true then can, I am quite certain, be argued with vastly additional force at the present moment, because although six or eight years have elapsed since that Royal Commission sat, although everyone, we believe, is alive to the fact that the danger of losing trade not only exists, but really is likely to increase, yet little or nothing can be done to prevent that loss of trade, and you cannot, I think, expect that it should, because it cannot be expected that private authorities will expend their own capital as long as Bills of this kind are impending. The Report of the Commission goes on to show that the Port has actually been losing, not only actually, but relatively to its competitors, a vast amount of trade.

I believe that this is a sufficiently alarming state of things for Parliament to take serious notice of. Several attempts, as we know, have been made to put it right, and although most of these attempts, Bills and Reports and otherwise, have been favourably received by the House of Commons, yet no proceedings have so far been taken upon them. Believing, as I do, that the need for alteration and improvement is really urgent, I find it somewhat difficult to understand why people who are acquainted, and I have no doubt thoroughly acquainted with the City of London, should urge objections to this Bill upon what I must describe as minor points. I believe this is a Bill which it is essential that we should look at in the broadest possible way; we should not be led away by Amendments or by suggestions dealing with relatively small matters, because we have the main principle before us that the Port of London at the present moment is badly managed and is in a bad state. We have had plenty of evidence before us that it is having a very bad effect upon the trade of London, and we also have it plainly recommended to us by every Committee that has sat that something in the nature of this Bill is absolutely necessary for the improvement of the Port. The chief of the major objections which have been taken against the Bill are naturally financial ones. They are objections which, no doubt, there are grounds for suggesting, but at the same time they are objections which it will be difficult for even those who make them to prove, provided they wish to keep this Bill in any form, because it is naturally based on financial foundations. Those financial arrangements are the outcome of delicate negotiations, of private agreement, and they are so closely connected with the frame-work of the measure, that it is almost impossible to deal with them unless you destroy the frame-work of the scheme altogether. The objection raised is that the price paid for the docks is too high. The figures which Lord Ritchie gave your Lordships seemed to me to be not quite accurate in some respects. He told you that the purchase price of the docks was based upon a diminishing revenue. I think that that is not actually the case. I think the revenue of the docks at this moment is an increasing one. But I suppose docks, more than any other business, are liable to great and serious fluctuations, and in the six years period contemplated under this Bill, there have been very remarkable fluctuations in the income of the docks. They were at their highest in 1902, which year showed a net income of £873,000, and they were at their lowest in 1905, which year showed a net income of £732,000. Since then the income from the docks has not, as Lord Ritchie told us, been diminishing, but has been steadily increasing, and at the present moment it has risen up to £763,000 which is £31,000 above the lowest income.

LORD RITCHIE OF DUNDEE: What I intended to say was that during the six years which were taken as the average, the income of the docks has been a diminishing income. The noble Lord has himself just read out the highest figure in 1902, which was the first of the six years.

LORD CLINTON: I agree with the noble Lord. I thought what he meant was that the income was diminishing straight on up to this moment.

LORD RITCHIE OF DUNDEE: No.

LORD CLINTON: Whereas, of course, at this moment it is increasing. The price at all events is fixed by agreement between the parties on a valuation by professional accountants of very high standing, who have certified that the existing revenue is a proper and sufficient one upon which to base such a valuation. There is also the report of the engineer, who is satisfied that the equipment and the position of the docks is sufficient to maintain the present revenue. The noble Lord (Lord Leith) complained to your Lordships that the engineer has not taken the trouble to go down and examine the foundations of the docks, and that he could not tell you whether the dock walls were in a proper state of repair or not. There was certainly no report furnished for that purpose, neither was there any occasion for such a report, because in taking over docks or any business that is going on, you want to know something more than the value of the bricks and mortar; you want to know exactly what we were told in this Committee—that they were in such a position as to maintenance and equipment as would enable them to maintain their existing revenue, and it was upon that existing revenue that the basis of purchase was made.

Another serious objection, not the most important one, brought before us in Committee was that the basis upon which this transaction was done was a wrong one, that the valuation ought to have been arrived at not by mutual agreement but by a process of arbitration. I am quite aware that the Royal Commission six or eight years ago reported that arbitration should be resorted to as a basis for purchase, but I am given to understand that the opinion of many people in that respect has very largely changed, and that they are now of opinion that arbitration is not the better course. I know very often when in other matters one has asked for arbitration in this House, in matters connected with land, small holdings and other things, one has always been told that on account of its great expense it should never be resorted to, and I think that is a fair argument in this respect. Arbitration in this case would have been a particularly expensive matter, because you could not arbitrate here with one single authority; you would be bound to arbitrate with three different authorities, each of the different docks requiring an arbitration to themselves. Also, I do not think it is the custom to resort to arbitration as long as peaceful methods are possible, and I believe that the Board of Trade adopted a perfectly right course in deciding, when they found that they had come to a satisfactory conclusion with the dock authorities as to price, that it was quite unnecessary to recommend the country to go to arbitration on the matter.

There is one other point upon which I should like to say one word to your Lordships. I think those who sat on the Committee will agree that one of the chief matters upon which the opponents of the Bill founded their objections was the constitution of the new Port Authority. As your Lordships are aware, it is partly elective, the elected members being elected on a general register of all those who pay dock dues, wharfingers, or owners of river property; and the contention of the objectors was that there should be elective members forming a sectional representation representing each section of the river. I certainly was very strongly in favour of the whole body being represented from a general register, believing that with a larger constituency of that kind you would be much more likely to get the best men available, that you would not, in such a case, have upon your Board men who were there for the purpose of representing one particular interest, probably at the expense of others, and also because it is obvious that if you admit one section to representation you are almost bound to admit the whole of them, and in that way you would have a Board very cumbrous and unwieldy, and unsuitable for the work it has to do. The noble Lord, Lord Avebury, just now, challenged your Lordships to show him anybody connected with the City of London who had expressed themselves in favour of this Bill. One of the opponents of the Bill opposed this measure very strongly upon the ground of sectional representation alone, and that was the Chamber of Commerce. I presume they may be regarded as a body connected with the commerce of the City of London. Their counsel in speaking for them used these words—

> "I wish to say in case there has been any misapprehension that the London Chamber of Commerce are not here as opponents of this Bill. On the contrary, and so far as the question of the purchase of the docks is concerned, and many of the provisions of the Bill, the London Chamber of Commerce are strongly supporting the Bill and are firm believers in it. The only point we are interested in primarily is the question of the constitution of the future authority to govern the Port."

LORD AVEBURY: The only resolution which has been passed by the London Chamber of Commerce is the one I read to the House, and I showed that the Bill did not carry out the provisions of that recommendation.

LORD CLINTON: I am sorry I did not hear the noble Lord read out that particular resolution. What I am reading from is the statement made by Mr. Erskine Pollock, the leader for the Chamber of Commerce, on that Bill.

LORD AVEBURY: The resolution I read was the resolution adopted by the Chamber of Commerce itself.

LORD CLINTON: I presume their leading counsel had instructions to speak for the Chamber of Commerce. But, my Lords, that at all events shows that a large amount of opposition to this Bill was on a minor point, that of sectional representation, and not against the Bill on its merits. I believe that this measure carries out the general lines laid down by the Royal Commission, in the Bill of the Unionist Government, and in both the Joint Committees which have deliberated upon the matter. They have all approved of the levying of dues. Those are the principal points of this measure, and I do not think that your Lordships have heard any good arguments to-night why we should not approve of those principles.

LORD DESBOROUGH: My Lords, I have had some experience of the Port of London, and having seen a great many of the representatives of the enormous interests carried on in that Port, perhaps it is almost my duty to say a few words on this Motion. Few people seem to realise the enormous trade that is carried on in the Port of London. The trade amounts year in and year out to a sum which reaches the gigantic figure of no less than £486,000,000. It is, therefore, evident that any Bill which will vitally affect the interests of the Port of London, which is now and has been for 200 years past by far the largest Port of the world, should be looked at with the greatest care and consideration. I think it has been borne in upon almost everyone that the time has arrived when this question should be dealt with and if possible settled. We have had a Royal Commission, we have had Bills brought in by two Governments, we have had these Bills considered by two Joint Committees of the Houses of Parliament, and, therefore, it is absolutely impossible to say that the subject, great though it is, has not been adequately considered; and there stands out, at all events, one point, which is the vital point of the Bill, on which there has been a unanimity and consensus of opinion expressed by a Royal Commission, by two Government Bills, and by the two Committees which inquired into those Bills, and that is that the docks of the Port of London should be taken over by a public authority. I venture to think that this question of the acquisition of the docks by a public authority is the important point, and constitutes the crux of the Bill. I am quite aware that a great deal might be said, with the greatest truth and justice, against the principle of buying out the docks and placing them under the authority which is going to be the ruling and governing authority of the Port of London. I am quite aware that it might be said with justice that on the whole the trade of the Port of London has been built up by private enterprise, and that, as far as the river is concerned, as distinct from the docks, the Port of London as regards that trade is by far the cheapest Port in the world. The ships that come into the Port of London pay small dues. The dues which are paid to the Thames Conservancy are, compared with the work they have to carry out, infinitesimal—1½d. a ton in and out and ½d. coastwise. They have to do the whole of the harbour management, there are two harbour masters, an upper and a lower, they have also to do the whole of the surveying and dredging, and I may say that at the present time they are carrying out a scheme of some magnitude by making a deep water channel of thirty feet at low water under the Bill which I had the honour of introducing to the House of Commons myself and which had the good fortune to go through. £200,000 have been spent upon those improvements, and they will in due time be handed over to the new Port authority. But if that is the case, and if the prosperity of the Port of London is so largely due to private enterprise which has not been helped by any Port Authority, which has equipped its jetties and piers and made them unaided, and the Port Authority has only assessed them on what they have done—if they have carried on their huge business as they have done up to the present without any assistance, it should be unnecessary to subsidise any particular portion of the Port and so allow that portion to become practically a competitor of theirs. But we have been faced with a most difficult question. I admit that a great deal could be said on either side, both for the acquisition of the docks by a public authority, and against it. But when we consider that the Royal Commission and the two Governments, assisted by the Board of Trade, who for ten years have been considering this question, have come to the conclusion that it is impossible for the trade of the Port of London to be carried out in a proper manner without something being done for the docks, I think that your Lordships would be ill-advised to refuse a Second Reading to a Bill which, after all, is an honest attempt to solve a most difficult question.

I think there are two methods by which the docks might have been dealt with. One is the present method, a new authority, the Port Authority, to acquire the docks and to manage them as part of the public authority. The other method, which I was, and am even now, very much inclined to support, would be this: to have an independent river authority, which would treat all parties on an equality, raise dues on goods and ships to improve the facilities of the Port, but giving to the docks which must be continued such a sum of money as would enable them to equip themselves properly and provide the necessary capital. This sum of money, if that system had been adopted, would have been spent under the control of the Board of Trade, who would have seen that certain improvements required by the Board were carried out. I have received many deputations on this subject from many different interests connected with the Port, and when that scheme was broached great objections were raised by the river-side manufacturers, who represent a capital of something like £100,000,000, and by the short-sea traders, on the ground that it would be impossible, or, at all events, that they would never consent to public money, that is to say, dues, raised on goods and ships being devoted to private enterprise. I must say that that converted me to the view that the only alternative must be that the public authority should take over the whole concern, as they do on the Mersey, and manage the river-side properties, the quays, and the docks as well.

But I am not blind to many objections to this scheme. It may be the knell of private enterprise on the river. I only hope that that will not be the case, and that the precautions which have been taken by the Board of Trade will prevent such an eventuality. But we must remember that private enterprise in the river in times past has made the river what it is, and this new authority, the first of whose obligations must be to provide £800,000 a year interest for the shareholders, whose whole idea must be to make the docks pay, and who will be judged eventually by the success or the failure which they make of their management of the docks, can hardly be regarded as an absolutely fair arbiter of the private enterprise on the Thames, unless the Board of Trade, to whom there is an appeal on almost every part of this Bill, see that private enterprise on the river is encouraged to the utmost. From my experience of the River Thames, I feel most strongly that the Board of Trade, and I should like to make a very earnest appeal to them, should keep this possible failure of the new body most sternly in view, and maintain most careful watch over what may happen to private enterprise on the river. At the present time the Thames Conservancy, which is the highway authority for the river, when any new scheme comes along considers it on its merits. The first step taken is to submit the scheme to the harbour master of the upper or the lower portion of the river, who draws up a report as to whether the new scheme will interfere with the navigation of the river; if his report is satisfactory the scheme is sent on to the engineer, who makes his report upon it as to whether it will interfere in any way with the rise or fall of the tide, and whether there are any engineering difficulties and objections to it. But supposing there is some scheme on foot for making a great deep-water jetty—and there is a large portion of the mercantile community who consider that the future of the trade lies in the river and not in the docks, that there is no limit to the size to which ships may go, and that therefore money spent on the riverside jetties and in deepening the river alongside those jetties will be a better precaution for the future than money spent on docks, which limit the size of the ships that can enter into them by their depth. Supposing a new scheme of this kind were brought forward—and as I say many of them come before the Thames Conservancy—it will have in future to come before a body the first of whose considerations is to make this £800,000 a year which they have to earn in order to pay the interest on the purchase of the docks and on the stock. Unless there is a very sharp lookout kept by the Board of Trade, who have a paternal hand over every movement of this new body, as to how private enterprise on the river is being treated, I am afraid it is almost impossible to expect that a Board whose interests are so bound up in the docks will view, I will not say in a friendly manner, but in an impartial manner, any schemes, which may eventually compete with the docks.

But on the other hand I must say that this question has gone on too long. It would be a misfortune if something were not done for the docks at the present moment, and I do not believe for one single moment that a better scheme than this has been proposed. I have already shown what the objections to a scheme of subsidising are, which scheme has almost the same objections to my mind as a scheme of purchase. But at the same time it is absolutely essential that private enterprise in the river should not receive any check which it is possible it may receive, and I think that the Government should give some assurance that they intend to see that the new Port Authority should not be so engrossed in the securing of dividends because of the large sum of money for which it is responsible, as to be blind to the just claims of private enterprise in the river. I think if that is done it will be a satisfaction to those large trading communities, the riverside manufacturers with a capital of something like £100,000,000, and the short sea traders, and others, not one of whom use a dock, and a great many of whom will have to pay money for docks which they do not use, and which they do not want, but who at the same time, are, I believe, willing to contribute a certain amount to enable the Port of London to maintain the supremacy which it has held for 200 years, and which I hope it will maintain in the future. I believe it would be almost a national misfortune if this Bill were thrown out. It takes five years to build a new dock, and five years to make it pay, and if this Bill is even postponed, I do not see how anything could take place for another year; there would have to be at least a year lost before anything is done. I do not believe that a better solution of this great question will be found, and if the Government give some assurance that they will be watchful and active guardians of private enterprise on the river, I believe that this Bill when it is passed will do good and not harm to the Port of London.

*VISCOUNT MILNER: My Lords, I think your Lordships must have heard about enough of the differences of that happy family party, the Joint Committee, but it seems to me that it would hardly be respectful to your Lordships' House if I were to be the only Member of that body who did not give some reason for his action either in supporting the Bill before the Committee or in supporting it as I intend to do by my vote in the House to-night. I feel all the more compelled to do so because the Bill has been attacked in your Lordships' House by another Member of that Committee in a speech which I think made a decided impression, and very rightly and naturally so, by its lucidity of argument, and force of expression—I mean the speech of the noble Lord who moved the rejection of the Bill. Might I be allowed to say that as his attitude on the Committee and subsequently in this House has been criticised, I do not myself feel that there was any inconsistency at all in his line of action? On the contrary, I think that the course which he has taken here to-night in moving the rejection of the Bill is perfectly consistent with the line he took in the Committee. I greatly regret the view he takes, but I do not think that anybody can complain of any inconsistency in his action, and I quite agree with the noble Lord who introduced the Bill that the other Members of the Committee have reason to be grateful to him because, although he was separated from the rest of us, or most of us, on the capital question of principle, he nevertheless remained a Member of the Committee and gave us to the end the benefit of his advice, very valuable advice, as I need not tell your Lordships after having listened to him to-night.

But, having said that, I am afraid I must go on and say that I differ from him *in toto*, both as to the reasonableness of this agreement, and also with regard to the assumption which seems to me to underlie his whole argument, that there is some necessary antagonism between the interests of the docks and other riverside interests. That is a view which he carries to what seems to me the extreme length of maintaining that there would be something unjust if general river revenues, revenues derived from the taxation of all the users of the river, were to be applied even to the smallest extent, to the extent of a few thousands of pounds a year, for purposes connected with the docks. For reasons which I shall presently try to explain to your Lordships, I hold that that is a narrow and a one-sided view, and I do not believe, if we were approaching this great question from that or any similar point of view, we could ever arrive at a solution. Before dealing with those two points to which I shall confine myself, I mean the merits of the agreement itself, and the supposed antagonism between dock interests and other riverside interests, I wish to make one personal observation with regard to the Committee. Stress has been laid by the noble Earl, Lord Onslow, upon the importance of the findings of that Joint Committee and the weight which they ought to carry with your Lordships' House. Speaking with all humility (I was after all only one out of ten) I do think that the long labours of that Committee are entitled to weigh considerably with your Lordships' House. I will not say too much about its composition, but I can say without fear of exaggeration or boastfulness that it was a most laborious and conscientious body. Two arguments have been put forward to shake the authority—as I think, the rightful authority—that the decisions of that Committee ought to possess in this House. One is that the points that have been brought forward here to-night were not considered by the Committee, and the other is that it was not composed of experts. As regards the argument which was strongly urged by the noble Lord, Lord Avebury, that the objections of those bodies to which he referred, and of which he gave us a long list, had not been properly considered by the Committee, I assure your Lordships that he is labouring under a complete delusion. It is not for me to say whether the consideration which we gave to them was proper, wise, or sufficient; all I can say is we did consider them at great length. There has been a constant and a hopeless confusion arising out of the fact that the question of the principle of the purchase of the docks was held to be excluded from the consideration of the Committee. That is so. Inasmuch as the principle that the Port Authority should acquire the docks had been laid down by the Royal Commission, had been the main object of the Bill of 1903 which had a Second Reading in the House of Commons, and was again the main object of this Bill, which had also passed its Second Reading in that House, the Joint Committee or at least the majority of that body, held that the question of the principle of the purchase of the docks was one which we should be wasting our time in considering. But it was never suggested, that the question whether the terms on which the purchase was to be carried out were fair and reasonable, was not entirely within the competence of the Committee, and, in fact, I think at least half the argument addressed to us during the eight weeks that we sat, turned on that very point. The noble Lord who moved the rejection of this Bill contended that the evidence produced on that point by the Board of Trade was insufficient, and that it did not support the conclusions we were asked to draw. Personally, I differ from him, and I shall have a word to say on that directly. But that is not the point at issue now. The question is: Did we or did we not consider this matter of the sufficiency and the wisdom of the agreement? All I can say is that, during the time I sat on that Committee, half the hours we spent, I am sure, or very nearly half, were spent in listening to arguments which either directly or indirectly bore upon this one central point, whether too much was being given for the docks or not. Therefore, this matter did have the fullest consideration.

Now, my Lords, as to the contention that the Committee were not experts. Of the five Members of the House of Commons who sat upon it, certainly three, and I believe four, are intimately connected with the shipping trade, and one of them has a peculiarly intimate acquaintance with the conditions of the River Thames and represents one of the constituencies on its banks. No doubt it may be true that noble Lords on that Committee, with the exception of the noble Lord who moved the rejection of this Bill, were not experts in the same degree. I plead guilty myself to having entered that Committee with perhaps an exceptional ignorance of the matters which it had to decide. For that very reason I felt called upon not only to give my most careful attention to the evidence, but to read up all that had passed on this subject before—the Report of the Royal Commission, the evidence on which it was based, and the evidence which was given before the Committee which sat on the previous Bill. All I can say is that the more I studied the question the more I became convinced that this Bill, if not a perfect Bill, is yet the best way out of a very difficult and complicated situation. I do not believe that anybody can judge fairly of this Bill unless he has made himself thoroughly acquainted with all the difficulties which have been found to beset and to defeat all the previous alternative attempts at solving the problem. The findings of the Royal Commission have been quoted by speaker after speaker, but there are one or two things in those findings which have not been quoted, and which are so germane to the main point of discussion that, sorry as I am to detain your Lordships, I think I must just refer to them. Of course what results from the Report of that Commission and from the study of the whole of the literature of the subject, if I may use that rather pedantic expression, is this, that there is an overwhelming body of opinion in favour of the establishment of one Port Authority, and of that one Port Authority becoming by one means or another the owner and controller of the docks.

"The docks,"

says the Report of the Royal Commission,

"are as essential to the working of the Port as the river itself."

And again—I call especial attention to this—

"The interdependence of proposals for improving the river and of those for improving the docks and the peculiar conditions under which the trade of London is carried on, render it highly desirable that these two closely connected elements of a Port"

not antagonistic elements, according to the Royal Commission—"should be no longer controlled by independent authorities." The Royal Commission therefore recommended—

"The creation of a single public authority for the control and improvement of the Port in which all the powers and property of the London and India, the Surrey Commercial and the Millwall Dock Company should be vested."

And they added these words—

"Apart from the opinion which we have formed as to the Port of London, the weight of evidence with regard both to home and foreign ports is in favour of a consolidation of all docks in a Port in the hands of a Port Authority."

It may be said, of course, and it is said, that it is right that the Port Authority should acquire the docks, but that it is wrong that they should acquire them on the terms given in this Bill. It seems to me in reading the Report of the

Royal Commission that the Royal Commissioners hardly hoped for anything so fortunate as that the public should be able to get these docks by agreement. What they said was that "in default of agreement" they recommended that the value of the docks should be determined by a Court of arbitration. In their eyes agreement was evidently a preferable method, and certainly it is contrary to all experience of arbitration that it should be a more favourable way of a public authority acquiring private property than the method of agreement. It is a remarkable fact that, before agreement was arrived at or mooted, many of those interests which are now raising so loud a clamour against agreement, were equally clamorous at the thought that there might have to be arbitration, and they contended—and I think with a great deal more reason than they object to the present agreement—that arbitration would lead to the Port Authority being saddled with an excessive sum paid for the docks. I think I agree much more with their argument then than I do with their argument now. But now that, contrary to expectation, agreement has been arrived at, these same persons are opposing the method of agreement.

Now on what grounds is it argued that under this agreement much too high a sum is being given for the docks? I say much too high a sum, because I suppose as reasonable men we would not let this great measure, so long deferred, so necessary, so urgent, be wrecked because a trifling sum too much were given for the purchase of the docks. Mind you, I am not admitting that a penny too much is being given; but even if it were, you must consider what would be the consequence of the alternative, the cost of further delay in a matter in which there has been already too long delay. It seems to me it is hopeless to argue on a question of this kind with absolute certainty about £1,000,000 or £500,000. There may be an error to that extent. I say frankly, if we were giving £1,000,000 or £2,000,000 too much, it would be much better worth our while to do so than to allow this Bill to be lost with the possibility of five more years elapsing before Parliament was again asked to deal with the matter. There are objections to every course, but the most objectionable course of all seems to me to allow the delay which has already continued too long, to continue any longer. I am making that concession against myself. because I am prepared to argue that the agreement is not open to these objections Let us see what are the arguments. directed against the agreement, looking at it upon the strictest grounds of £ s. d., and assuming for the moment that if it can be proved we are giving £100,000 too much the whole thing should be thrown into the waste-paper basket. I am prepared to argue it on that ground, although I do not think it should be so argued. We ought to have a certain amount of latitude. Well, it is said that we are giving too much for these docks, because the stocks of the companies have risen since the terms of purchase were announced. I do not pretend to be very well versed in the habits of the Stock Exchange, but I have often found in my own limited experience of City business that when any purchase or amalgamation was in the air, the immediate effect was to send up the stocks of the companies which happened to be amalgamating or undergoing purchase. Very often they fell again when the thing had been accomplished. But, at any rate, they rose for the moment. I do not think we ought to attach too much importance to a rise of that kind, and, as a matter of fact, if some of the stocks have risen others have fallen. I would like to ask this question: Here is a provisional agreement, and in order that that provisional agreement may be accomplished, it has to be accepted by both parties. If we, as representing the public, are to reject this agreement because stocks have risen, then if these stocks had not risen I think it is highly probable that the other party would have rejected the agreement. The shareholders of the companies have to be considered, and the view that they were likely to take. But, reverting back to the question of the value of those stocks, I do not think it is fair to test it by the Stock Exchange operations of the moment. What I think would be a fair test to take would be the average value of these stocks for a certain number of years before this agreement, which is supposed to be so favourable, was mentioned, and, on the other hand, to take the probable value of the stocks which are going to be given in exchange for them. I have made a calculation on that basis. I have taken the A Stock, which is the Preference 3 per cent. Stock of this Port Authority, but which is not going to have a Government guarantee, at 85, and its B Stock, 4 per cent. and also without a Government guarantee, at par. That works out at £20,905,000. And when I look at the average Stock Exchange value during the last six years of the stocks which are going to be converted—and this was before this agreement appeared on the scene which is said to have given them an artificial rise—I find it to have been £20,925,000, or £20,000 more than what I think is a reasonable estimate of what this Port Stock will stand at in the future. Therefore, I do not see on the face of it that we are giving too much for these stocks. That is one way of looking at it—from the standpoint of capital value. But the noble Lord also argued it from the point of view of income. Well, I am prepared to meet him on that ground also. The Port Stock is going to carry interest amounting to £800,000 a year. The average net revenue available for interest or dividends on the stocks which are being converted has been calculated for six years at £808,000. Well, the noble Lord objected to £18,000 of that. Then I say throw it out. I think there is something to be said for that adjustment of £18,000, and there is also something to be said against it. Well, put it out. That will make the sum £790,000. I do not suppose it is disputed that unless the value of these stocks is going to decline greatly in future—a point with which I will deal directly—I do not suppose it can be disputed that it is a fair principle that we should give these people whose property we are going to expropriate, the same income they have enjoyed hitherto. That is the principle on which the agreement is based. On the average of the past six years there has been available for the owners of these docks as annual income £808,000, or, if the noble Lord insists on the exclusion of the £18,000, £790,000, and in future they are to have £800,000. Therefore, they will be the gainers by £10,000. But that does not take the whole case into consideration, because no mention has been made here to-day of a point which was very strongly urged on the Committee, viz.: that besides their income-yielding property these docks had considerable surplus lands, the value of which does not enter at all into that £790,000 a year. It was difficult to arrive at any good estimate of the value of those lands. Some of the estimates put forward were perhaps excessive, but certainly I think it is a moderate conclusion that they were worth something between £1,000,000 and £2,000,000, and that £1,000,000 is the minimum figure. I think you may well throw these surplus lands into the bargain, and, if you do, then the terms on which the docks are being purchased are, if anything, unfavourable to the docks rather than unfavourable to the public.

But then it is argued: "Oh, yes, but you are taking present values." The noble Lord has pointed out that the income of the docks in 1902 was higher than it is to-day, and he has said that it is a declining revenue. Whether it is or is not a declining revenue is a point on which I think there may be considerable difference of opinion. The noble Lord, Lord Clinton, pointed out that, although the net income of the docks to-day is less than it was in 1902, it is more than it was in 1905. And a good deal of evidence which ought not to be neglected and overlooked was given before the Committee to show that there were special causes affecting some of the docks during the last two or three years which might well account for the difference in their net revenue to-day from what it was in the most favourable years. But there is more to be considered than that. When people are being expropriated, like the owners of this dock property, they are apt to consider, and they are entitled to consider, the possibilities which may increase the value of their property in the future, as well as those which may diminish it. In that connection there are some remarkable words in this often-quoted Report of the Royal Commission. To a great extent what threatens the revenue of the docks is the reduction in the amount of goods that go into warehouses. Now on that point the Royal Commissioners say—

> "Although the extension of free goods and other circumstances have had a tendency to diminish warehousing at the docks, and thereby to diminish the revenue of the docks, yet, on the other hand, an increase in the number of dutiable goods or other circumstances might have the reverse effect."

Is anybody prepared to say, on that point, that an increase in the number of dutiable goods is so wholly out of the question that people whose revenues may be beneficially affected by it are not entitled to take it into consideration to-day? But there is another point which ought not to be overlooked, and it is a most important one in justice to the docks. If their revenue is falling—if it is true that their revenue is threatened, as the noble Lord says, why is it threatened? It has been threatened to a great extent because they are not able to make those improvements which are necessary to keep it up. And why are they not able to make the improvements? They have come time after time before Parliament with schemes to enable them to improve the docks, and Parliament has not given them the power necessary for doing it. I think Parliament was perfectly right, because Parliament was influenced by the consideration that another authority was going soon to be created—a better authority as we think—to deal with the matter. But surely it would be rather hard upon the docks if we were to beat down the price of expropriation to-day because they are threatened with a loss of revenue, due to the fact that Parliament has not allowed them to make the improvements which are necessary to keep up their revenue. That is a most serious consideration. We hear a great deal about justice to other river-side interests, but I think if we were to attempt to expropriate the owners of the docks on the basis of a possible future reduction of revenues, due to the cause to which I have just referred, we should be doing less than justice to them.

May I say in conclusion of this long argument that for my own part I have not the smallest interest, direct or indirect, of any kind in the docks. But I am perfectly certain that if the method of agreement had not been adopted, and if, neverthelesss, the docks were to be acquired, they would have been acquired on less favourable terms than they are likely to be acquired upon to-day. And now, just one word on the point of the supposed antagonism between the docks and other river-side interests. Even supposing—taking it at its worst—the revenue to be derived from these docks does not cover the interest on the Port stock, and supposing that it has to be supplemented to some extent by duties on goods, I sry I do not admit that that would in itself be an injustice to the other users of the river, because I hold that there are indirect advantages to the trade of the river from the docks which are felt by others besides those immediately making use of them. If that is disputed I should like to quote some words which have been written on this subject by a very competent authority. I quote them because they express better than a non-expert such as I can what I feel on this subject. This is a quotation from a letter which appeared in the public Press from a gentleman named Douglas Owen, whose name may be well known to some of your Lordships, and who certainly is a considerable authority on all questions connected with shipping. He says—

> "How can it be seriously contended by the short-sea vessels and the traders that the docks are no concern of theirs or no use to them? Why, Sir, close the docks to the big ships and the short-sea shipowners and the traders would be ruined. The traders get three-fourths of their goods from the docks. These goods come in the big ships, and but for the great docks to receive the ships the traders might put up their shutters. It is the big ships that make a modern port. . . . And where would the short-sea steamers be without the big ships? The short-sea ships assist in the distribution and delivery of cargoes brought by big ships in the docks, and although most of the short-sea steamers do not use the docks they, like the traders, depend on the docks. And so the Bill requires that they shall bear their share in dock maintenance and construction. What is there hard or strange in that?"

Now, in conclusion, I may say that I listened with great interest to the speech just delivered by my friend Lord Desborough, and I fully agree with a great deal that it contained. But I must say that I wholly fail to understand the ground of his fear that this new Port Authority is likely to sacrifice other river-side interests to the docks. Why on earth should it do anything of the kind? It is going to be elected not by the defunct shareholders of the docks, but by the payers of dues generally. No doubt there is a certain number of members of the Port Authority to be appointed to public bodies, but they will presumably not have any special animus against river-side traders or special affection for the docks. But the bulk of the members of the Port Authority are going to be elected by the very payers of dues whose interests it is supposed they are going so ruthlessly to sacrifice for the maintenance of the docks. Why should they? Their interest will be to get revenue in the best way they can, in order to improve the Port, and thereby to bring credit to themselves. They have no personal pecuniary interest in the matter, and as far as they have a revenue interest at all it will be to raise revenue by the most profitable means they can. They are saddled with this £800.000. The fact that it has been paid for the docks does not make any difference to them. They have got to find it. Why should they find it by developing the docks at the cost of other river-side interests, unless they see that from the point of view of the Port as a whole it is the most paying thing to do? They will want to make the Port as a whole a success. They will want to develop the Port, and the very worst way to do that would be to spend a great deal of money on the docks, if by so doing they were not going to increase the trade of the river and get an increased revenue from the Port. The fact that they are saddled with £800,000 for the docks does not mean that they will be such fools—if I may use the expression—as to try and get that revenue by forcing all business into the docks, if it is better for the Port, and if it, therefore, pays them better, to adopt some other means for the improvement of the river traffic. My Lords, I am sorry to have intruded so long on your Lordships' House, but all I can say in conclusion is that having, as a non-expert, given my best attention to this matter I am thoroughly satisfied that the Bill before your Lordships' House is a good one.

THE MARQUESS OF SALISBURY: My Lords, if the noble Viscount, with his great position and financial experience, has modestly disclaimed the character of an expert, I wonder with what credentials I may ask your Lordships to listen to me for a few moments. I am afraid I can aspire to no character except that of our old friend, the man-in-the-street, but as he is supposed nowadays to be the best judge of everything, perhaps your Lordships will be inclined to listen to a few hesitating words from myself. I think we may agree that every speaker who has addressed your Lordships in this debate is of opinion that something must be done. That is the principal moral of the debate as it has been brought home to my mind. That was pressed upon your Lordships by almost every speaker, notably by my noble friend Lord Clinton, who, speaking from his experience as a member of the Committee, declared to your Lordships how deeply impressed he had been as he listened to the evidence before that Committee of the absolute necessity of a great change being made in the administration of the docks and of the Port of London. There is also the further fact, dwelt upon by the noble Viscount who has just sat down, that this claim that something should be done has been greatly intensified by the failure of Parliament after it had once touched the subject to deal with it completely. They undoubtedly put obstacles in the way of the proper administration of the Port, which has very much increased the claim which those interested now have upon Parliament finally to deal with the subject. But that failure of Parliament cannot be laid at the door of the House of Lords. The Bills which have been introduced have been introduced and failed in the House of Commons, and I was very much struck by an observation which fell at the beginning of the evening from the noble Lord in charge of the Bill when he told us that to-night was the first occasion that the House of Lords had had the opportunity of discussing this great subject, although the matter has been urgent for at least ten years.

What an occasion, my Lords! On 14th December, with the prorogation immediately in sight, we are asked to deal with this matter of supreme importance, which has taken ten years to get through the other House of Parliament, and which we are to get through in the course of a short week. My noble friend Lord Desborough told your Lordships what the trade of London was. It was something like, I think, £400,000,000 a year. Well, this stupendous interest has to be dealt with in the House of Lords with only one day between Second Reading and Committee stage. We are supposed to be able to thread our way through all the intricacies of this problem and to arrive at a just conclusion affecting all these interests in forty-eight hours. And this is what the Government call keeping up the House of Lords as a revising body. They do not like the House of Lords to reject Bills. All they say is that we ought to revise Bills. Then they bring up a Bill concerning interests worth £400,000,000 a year, and expect us to revise it in forty-eight hours. The only comfort we have is that this measure has been before a Joint Committee. I desire to re-echo everything the noble Viscount has said as to the respect we ought to pay to the findings of the Joint Committee. I confess that, under the circumstances, I cannot help being a little sorry that they did not discuss the whole subject. I quite understand the reason. No doubt it was thought by those who had the control of the deliberations that it was impossible to find time to go into the whole subject over again, but, undoubtedly, there has been an unfortunate impression left behind that one of the most important issues has not been properly investigated by the Joint Committee. I wish it could have been otherwise. As it is, of course, I entirely believe what the noble Viscount said that, although the actual question of purchase was ruled out, the question of price was not ruled out but was thoroughly discussed. The noble Viscount went into the question of whether this price was too high. I am not quite sure whether he thought it was too high or not, but there was one observation which he made against which I think I might be allowed to enter the mildest kind of protest. He said that even if we were to give £2,000,000 too much it would not matter very much, and that it was better than not to pass the Bill. Who are "we?"

VISCOUNT MILNER: The public. Better give £2,000,000 too much by agreement than £5,000,000 too much by arbitration.

THE MARQUESS OF SALISBURY: Who are the "we" under these circumstances? If "we" were the British taxpayer or Parliament, or even the rate payer, I might have been disposed not to have entered this very mild protest, but "we" are the other traders on the river. I am not going for the moment into the question whether the bargain was a fair one, but I do not think we can treat the other traders in the river as though they were the general public, whom we have a right to tax to any extent we please, and say in the generosity of our hearts that we give rather more to the dock companies, although the persons who pay are not ourselves or those we represent but a very limited class of traders competing on the river.

Now, my Lords, I think the impression which has been left upon the mind of the man-in-the-street is that the price is a little high. I was very much impressed by the speech of Lord Ritchie on that point, and, although the noble Viscount has contested it, the fact that the stock has gone up tremendously in value since the Bill has been introduced does give me the impression *prima facie* that the price was a little too high. But having said that, I must confess my entire agreement with the noble Viscount that if the matter had gone to arbitration the price would have been a great deal too high, and therefore the noble Viscount is perfectly right and the Government were perfectly right to prefer procedure by agreement to that of arbitration, because it is far the more economical of the two.

Let me say one or two words as to the incidence of the burden of the new taxation which is to be levied or might be levied under the operation of the Bill. Even supposing the price is an absolutely fair one there will be a burden laid for the first time upon persons engaged in trading on the river. Those of your Lordships who have listened to this debate are aware that there is a certain conflict of interests. There are two sets of persons—those who trade in the docks and those who trade outside the docks, and they are to some extent in competition. Certain new taxation is to be levied which falls for the first time upon those in the outside river, and who is going to get the benefit of that taxation? It may be a large sum, or it may be a small sum. The total of the new taxation cannot be more than £300,000, but something will fall upon those interests outside the docks, and who is going to benefit? The noble Viscount says it will benefit everybody if properly administered, and so it will, but there is this difference between the benefit which it confers upon those who trade inside the docks and those who trade outside, that in the one case it is a direct benefit, and in the other it is an indirect benefit. I do not think that can be evaded. This money will be used primarily to make up any deficiency in the interest on the shares of the present shareholders, who will become holders of the new Port Stock, and they will be directly benefited by this burden, which is for the first time thrown, not upon themselves, but upon their competitors in the outside river. But so long as there is an indirect benefit to those persons who use the river outside it is quite clear that they should pay for it. I agree. It becomes, therefore, a question of adjustment, how far the burden is properly imposed, having regard to the benefit which may accrue from it.

And how are we to know how much that burden will be? My Lords, we cannot know. Your Lordships have no means of judging how much that burden will be, because it entirely depends upon the decision which may hereafter be come to by the Board of Trade, and which, in the form of a scale of rates, may hereafter be embodied in a Provisional Order which will come before Parliament. It, therefore, is of the greatest importance how that Provisional Order is drawn. And I may parenthetically remark that this Bill gives, in many clauses, enormous powers to the Board of Trade. Personally, I do not complain of that. From personal experience I have great confidence in the efficiency and fairness of the Board of Trade, but this scale of rates, which is of importance, which determines the amount of burden which shall be thrown upon those who trade on the outside river, is largely in the hands of the Board of Trade, and whether the result will be fair or unfair largely turns upon the impartiality of that great department. There is, however, one other security which these taxpayers, for they will be taxpayers, might look to, and that is their representation upon the Port Authority. Upon that my noble friend Lord Avebury expressed considerable doubt whether the representation conferred upon those who trade in the outside river is sufficient. I should like to ask any member of the Government who is good enough to speak to-night to tell your Lordships how much representation they expect will be enjoyed by the interests other than the docks. Your Lordships will remember that there are ten nominated members and eighteen representative members. We may assume that the ten nominated members will be impartial persons. There is no reason why the representatives of the County Council should favour one of the competing interests rather than another, nor why the representatives of the Corporation of the City of London, the Admiralty, or Trinity House should show favour either way, so that we may look upon these ten as more or less impartial persons. Then come the eighteen representative members. The franchise under which these eighteen gentlemen are to be elected is of a rather peculiar kind. It is not a case of one man one vote, but there are to be votes according to the amount of dues which the taxpayer pays. There is this curious fact, that although there is at least as much trade carried on outside as there is in the docks yet the voting strength of the docks is infinitely greater than the voting strength of the interests outside. As I understand it the dues which give the franchise are all the dues paid by the traders. Those dues consist of two classes. There are the dues which are imposed on goods impartially, on the same scale to everybody whether they trade in the docks or out of the docks, and there are also dues which belong to the docks only, and which will be paid only by the users of the docks; dues, that is to say, in respect of wharfage, and I suppose the use of the warehouses. Both sorts of dues give the franchise, and as the number of votes increases according to the amount of dues, and as those who use the docks pay dues on a much higher scale, they will enjoy an enormously larger voting strength than those outside the docks. I am not sure, but I have an impression that out of these eighteen seats the traders outside the docks will not be able to secure more than four or five. I may have given myself away, because if that statement is wrong the noble Lord will be able to correct me, but I have an impression that only about four or five seats will be secured out of the eighteen. As I have said, the amount of trade is almost equal in the two cases, and those outside are to pay a burden for the first time for something which is for the direct benefit of those inside, and only for the indirect benefit of themselves, and yet those others are to have fourteen seats. I hope the Government will either correct me if I am wrong or give me reason why that strange disparity should exist. I confess that upon the face of it the interests outside the docks seem to me to be under-represented. The matter, no doubt, will be much more properly dealt with in detail when we get to Committee, but I ask the Government whether they cannot reassure your Lordships on that point. Although I have made these criticisms I venture to return at the end of my observations to what I began with, and that is to say that something must be done. This plan holds the field. It is undoubtedly necessary that a great change should take place in the administration of the Port, and, therefore, so far as I am concerned, and I believe so far as those who sit on this bench beside me are concerned, we shall support the Second Reading of the Bill.

*THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE): The Government have certainly no cause to complain of the manner in which this Bill has been received, nor do I even make any complaint of the one or two rather polemical observations which fell just now from the noble Lord opposite. It was no doubt difficult for him to resist the temptation of making some comment upon the comparative shortness of the time which, owing to the circumstances of the session, the Government have, with regret, been able to allow as an interval between the Second Reading and the Committee Stages. But I think that in regard to the present Bill I, at least, have no difficulty in making a reply. This Bill, as is well known to your Lordships, is not an ordinary public Bill. It partakes very largely of the character of a private Bill, although, no doubt, a gigantic private Bill, as evidenced by the procedure which has been necessary in regard to various matters which are not necessary in regard to a public Bill. And the greater part of the work connected with this Bill in its different stages has, in both Houses of Parliament, been taken more or less out of the hands of the Houses as a whole and relegated to Committees. I think I am right in saying that in the House of Commons if you compare the time that was taken up by this Bill in Committee with the time that was taken up with the debate on the Second Reading and the Report Stage, you will find it was exceedingly small. The Committee to which this Bill went was not a Committee of the House of Commons, but, as we all know by this time, a Joint Committee of both Houses; a Committee, that is to say, on which your Lordships were represented.

Therefore, we are not approaching this Bill as if it were a new matter; or as if, on the Committee Stage, it were a Bill of which we, as a House, had never had any previous knowledge; because both on the Joint Committee, and, if I may go farther back, on the Commission which went into this whole matter not so very long ago, I think in 1903, your Lordships' House was fully and ably represented. Nor can it be said that upon the recent Joint Committee the Government, as a Government, made any attempt to obtain a predominant voice. There were, no doubt, Government representatives, but they did not bear any very large proportion to the total members of the Committee. I do not think I am exaggerating in any way when I say that the Government may claim that before this Bill will have reached the Committee stage in a couple of days it will have been drawn through the sieve of the critical opinion of your Lordships' House to a degree and in a manner which is quite exceptional, and which is not applied to public Bills in general. Therefore, any criticism which, no doubt, would be very natural, and very frequently, I admit, legitimate, as to the late hour at which Bills are sent up to your Lordships' House is not in this case apposite because of the reasons which I have ventured to lay before the House.

It is not, of course, my intention to take up your time at this hour, and when we have other Bills to deal with, by making any attempt to go over the ground which has been so ably covered already by my noble friend who made so clear, and, if I may say so, so admirable a statement to your Lordships. More especially, too, is it unnecessary for me to do so, because, although in the course of the debate a number of points were brought up, some of them new and all of them important if technical points, yet the speech made by the noble Viscount from the cross benches has, in reality, given an effective answer to nearly all the criticisms that were made upon the points of detail in regard to the port charges and other matters of that kind. In any case, these points, even if they were not, in the opinion of any noble Lord, threshed out before the Joint Committee of the two Houses, are essentially points which can be raised in the Committee stage. They are not points which justify a Motion for the rejection of the Bill. And I would remind your Lordships of what, perhaps, we have lost sight of, that what we are discussing consists of two Motions, one of which has been moved and both of which are on the Papers of your Lordships' House, for the rejection of the Bill, and what I really have to reply upon are the speeches of the two noble Lords in whose names those Motions stand. I express a hope that by this time they have become convinced, from the course of this discussion, that it would not be wise to put your Lordships' House to the trouble of a division.

Putting aside the points of detail to which I have referred, there has been, in reality, a striking unanimity upon the main points of the Bill. There is unanimity in regard to the division of the Thames between two great bodies, instead of its being governed by one body, which, although a single body, was obliged to have a division of accounts and a division of jurisdiction within its own limits. I allude to the division of the waterways, and of the financial arrangements for certain purposes, which exists under the Thames Conservancy at a point near Teddington, and again in regard to certain reaches which are divided by the City Stone at Staines. Everybody is agreed that that complicated arrangement should cease, and that there should be two really separate bodies for the Upper Thames and for the Port of London, the latter of which is practically identical with the lower river. I think if anybody had been likely to take any strong objection on behalf of the upper waters it would have been Lord Desborough, who made a most able and interesting speech. There is nobody who knows the history and arrangements of the Upper Thames better than he does, and although, of course, I am not going to put my own very humble experience alongside his, I think I am capable of looking at the interests of the Upper Thames, because for many years the county with the administration of which I am connected has had a representative, or at least part of a representative with Gloucestershire, upon the Thames Conservancy. Although occasional criticisms have been made in quarters with which I am familiar in regard to the proposed division between the Upper and the Lower Thames they seem to me of late years to have dwindled away, and latterly I have heard practically nothing of them. There is complete and absolute unanimity based upon the Report of the Commission of 1903, that the docks of London should be put under a public authority.

LORD AVEBURY: No.

*LORD FITZMAURICE: My noble friend dissents, but there has really been so little divergence of opinion that although I may be wrong in saying there has been absolute unanimity, yet I think there has been something very like it. I was not alluding to the line taken in these Houses when I spoke of unanimity, but I was alluding to the Reports of Commissions, to the Reports and inquiries of Committees, and to the expressions of the more important public bodies of the Metropolis. Then there is the question as to whether municipal enterprise should or should not be called in to back up any scheme of authority. We know that a few years ago there was a proposal that the ratepayers of London should take the risk, in addition to the already heavy burden of expenditure, of coming forward with a guarantee, greater or less according to the views of different persons and public bodies, in support of a scheme for the acquisition of the docks on the Thames. But that is not a portion of this Bill. I confess that I heard with some little regret the language used by the noble Lord, Lord Leith, who was a member of the Committee for a short time, but who, I believe, retired from it. The noble Lord made some observations in regard to the public body which is to be constituted under this Bill, and then, arguing from some recent controversial matters which have attracted public attention, went out of his way, I think quite unnecessarily, to make some rather uncomplimentary observations on the London County Council, and then proceeded to drag the Poplar guardians, by, if I may say so, the scruff of their necks, into this controversy. To have suggested that there was any connection between the future administration of the great public body which is to be called into existence under this Bill and the sort of things we have recently heard about some of the boards of guardians in London, was, I am bound to say, a most unfortunate observation.

My noble friend who has just sat down, speaking with all the authority of a former President of the Board of Trade, pressed me rather hard to enter into some of those details which have been discussed backwards and forwards in the House in regard to the relative position in respect of finance in this measure of the persons interested in the docks because they used them for the purposes of their trade and those persons who carry on their trade outside the docks and in the river at large. He pressed me rather hard to explain what was likely to happen as between those parties, the parties inside and the parties outside, if I may use the expression, when this Port Authority comes into existence. Well, really, that is to invite me to enter into the region of prophecy. I cannot possibly tell exactly how the relative positions of the persons who constitute those two more or less separate bodies of persons will work out in practice. After hearing the speech of the noble Viscount upon the cross benches, who was a Member of the Committee, and who speaks with such great knowledge and authority on any subject on which he addresses your Lordships, I feel all the more encouraged to have the courage of my own convictions and to say I decline to enter into the region of prophecy. What the noble Viscount said was that after having heard all the evidence on the subject, the tendency would be for all parties, whether inside or outside the docks, to obtain great benefit in future from the arrangements under this Bill, and that, therefore, the tendency on the part of these parties to look upon themselves as rival and conflicting interests would diminish rather than increase. The noble Viscount pointed out that in reality, owing to the far greater value of the property of the dock companies than had previously been admitted by the critics of this Bill, and owing to the fact that the same body that was to govern the docks was to be the Port Authority, and rule all the river in general, it was quite a mistake to suppose that the persons whom I am calling, for the purposes of my argument, the parties outside the docks would not benefit very largely indeed by these new arrangements. If the hopes and aspirations of the framers of this Bill are fulfilled the whole condition of the river in which they are just as much interested as they are in the docks will tend greatly to improve.

Then I must remind your Lordships of what may seem to be a hardship viz., that port dues are to be levied upon the parties outside for the first time. Taking the fund of the Port Authority as a whole there can be no doubt that it will be greatly benefited by the receipt of these dues and therefore it will be able to borrow on far more advantageous terms, than otherwise would have been the case and the outside traders will benefit by this. And still more important is the fact which I think was mentioned for the first time in this debate by the noble Viscount, that the properties belonging to these dock companies which will come into the possession of the Authority include undeveloped land which, I understand, has an enormous possible increment of value in it. Therefore, everybody, whether an inside or outside man, whether he sends his goods into the docks or whether he unloads in the manner described, which has been called the outside process, will sooner or later, and sooner rather than later, obtain a marked benefit from the value accruing, or likely to accrue, from those great properties, in which at present the outside man has no interest. Therefore he gets value for his money.

Then there was another point which had been mentioned with regard to Clause 6. Here, again, I must say this is essentially a Committee point. It deals with the acquisition of land by a novel machinery. We admit that this machinery is novel in some details. It is not altogether new, because your Lordships are aware that quite recently the necessity of getting a Provisional Order through Parliament in every case where land is taken compulsorily or otherwise, but, especially if taken compulsorily, has gradually begun to be limited. The principle of limitation, as so often happens in matters of English law, began creeping in at a comparatively remote date. There are one or two Acts of Parliament relating, for example, to acquiring land for bridges and even for widening roads which were passed at the beginning of the last century. There was an Act of Parliament about widening streets in London—an Act known as Michael Angelo Taylor's Act, after the man who passed it—where a very simple process was brought in for acquiring land, and your Lordships, only a year or two ago, allowed that process to be used for the acquisition of land for small holdings in certain cases. The fact is that the machinery for the acquisition of land which requires confirmation by a Provisional Order and allows the whole question to be raised again after the inquiry has become unpopular with the outside public, and I think with Parliament, because of the enormous expense. As the noble Lord, Earl Cromer, pointed out, the Government have in this case taken a considerable step forward. I believe it is a step in the right direction, but at the same time the Government will make no complaint if the details of this new machinery are very closely scanned when we reach the Committee stage.

The absence of a municipal guarantee is something at which every ratepayer in London will probably rejoice. Hardly a week goes by in your Lordships' House but some complaint is made, generally by my noble friend the Chairman of the County Councils Association, that the burdens and risks of the ratepayer are becoming more and more increased by legislation. In this Bill we come with no proposal to increase the rates of the County of London or of the City, or the rates in any part of the great Metropolitan area.

These are, I am inclined to think, the principal points that have been raised during this debate, with one exception. My noble friend Lord Desborough pressed the Government to give a pledge that they would be very careful to safeguard the representatives of what I have called the outside interests in the future, having regard to the immediate position at the moment of the passing of the Bill. I am inclined to hope that if my noble friend will look at page 9 of the Bill he will see that in subsection (*i*) of Clause 7 the Government have very largely anticipated his wishes, because that subsection says that if the Port Authority revoke any licence for any purposes mentioned in Section 103 of the Thames Conservancy

Act an appeal shall be given to the Board of Trade, who shall see that justice is done in the matter. The subsection may be, perhaps, a little technical and involved, but substantially it meets, and I understand was intended to meet, the point raised by my noble friend; that is to say, that the Port Authority is to be careful by its action in any case to avoid destroying, intentionally or unintentionally, those rights and privileges guaranteed by licence, which have been given to the parties who have a very large stake in the river. That also is a further answer to the point raised by my noble friend on the front bench opposite, when he was pleading the case of the outside traders in the river.

Lastly, I would like to say that I have the authority of my noble friend the Leader of the House, who is also, as your Lordships are aware, the Secretary of State for the Colonies, for saying that the provisions of this Bill, which we hope will influence very greatly for good the trade of the great Port of London with foreign countries, and not only with them, but also with our own Colonies, are viewed with great interest and approbation in many of the most important of our Colonies amongst those who are interested in their trade. Believing, as we do, that after long inquiries by Commissions, by Committees and otherwise, that we are securing, if not the unanimous approval, certainly the approval of the great majority of the important branches of trade and commerce in this country, and bearing in mind also that we have the assurance of Colonial support, I hope I can say with confidence that your Lordships will read this Bill a second time without a division.

On Question, whether the word "now" stand part of the Motion, resolved in the affirmative.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Wednesday next.

EDUCATION (SCOTLAND) BILL.

Report of Amendments received.

Verbal Amendments in Clauses 5, 6, 8, 10, 12, 14, 17, 19, and 22 agreed to.

LORD HERSCHELL submitted two Amendments to Clause 23 providing the method of procedure to be followed in the event of any payment made by a school board being disallowed and surcharged. Recalling the circumstances which attended the discussion of this audit clause in Committee, he said it would be remembered that the Government were unable to accept the Amendments moved by Lord Balfour of Burleigh, but at the same time did not put the Committee to the trouble of a division. Subsequently, Lord Balfour appealed to the Government that they should do something to provide a better clause, to which he (Lord Herschell) replied that the whole question would be considered between then and the Report stage. The result of the consideration which had since been given to the matter was seen in the two Amendments now standing in his name on the Paper. The first Amendment made it clear that the privilege of exemption from surcharge, so far as the Department was concerned, on a first occurrence of what was considered to be an illegal expenditure, applied only to the first instance of such expenditure by any school board in Scotland—that was to say, it did not mean that each school board would be able to make this illegal expenditure once, in spite of the fact that it had been already disallowed in the case of one school board. He said advisedly "so far as the Department was concerned," because it was never intended that any ratepayer who considered himself aggrieved by any supposedly illegal expenditure on the part of his school board should in any way be deprived of his right to approach a Court of law to obtain a remedy, even on the first occurrence of such an expenditure. The second Amendment standing in his name contained words taken from the Town Councils Act with the object of making assurance doubly sure on this point. Where the Department had refrained from making a surcharge on the ground that it was the first occurrence of the offence although the auditor had declared the expenditure illegal, any aggrieved ratepayer, with this opinion of the auditor behind him, would have every confidence in going to the Court with the practical certainty that he would win his action and recover his expenses. It was obvious, however, that the position was such that the occasion for his doing so would hardly ever arise. The object, both of this power on the part of the ratepayer and of the power of surcharge on the part of the Department, was not so much to enable proceedings to be taken as to ensure that with these powers in reserve the occasion for the exercise of them would never arise. During the long series of years in which school boards had been in existence the amount which the accountant of the Department would have been prepared to disallow, had he possessed the power, had been almost infinitesimal, yet there was absolutely no power of surcharge. It was not the case that this amount would have been any greater had the accountant been vested with the power of surcharge, for, as a matter of fact, there was recorded year by year in the Blue-book a list of all the instances of what, in the opinion of the accountant, were illegal items, including expenditure which, though not strictly legal, had yet come to be regarded by the Board, and, in fact, by all concerned, as not only justifiable but even extremely desirable. Many of these items of expenditure were expressly sanctioned by the present Bill, and if the provision in Clause 3, Subsection (7), of the Bill had been inserted in previous Acts there was no doubt that an enormous proportion even of the small number of cases of illegal expenditure would not have appeared. He hoped these two Amendments would go far to satisfy Lord Balfour upon the score of what he had termed the "first bite." Apart from this point, there seemed to be, practically speaking, only one other real difference between the noble Lord's proposal and that of the Government, and that was in the method of seeking the intervention of the Court of Session. In the one case the procedure was for a Government Department or its officials to make a surcharge, and then leave the Court to determine on appeal as to the rightfulness of that action. In the other case—the Government proposal—the Department did not take upon itself the exercise of any judicial functions, which, of course, might be reversed on appeal, but merely asked the Court to declare as to the legality of certain expenditure, and a surcharge followed or did not follow as the case might be according to the decision of the Court. As between the two procedures, it would appear that the latter was certainly more justifiable on the grounds of precedent, and also of public policy. Looking first at the question of precedent, the method proposed in this case was the one prescribed over and over again in Education Acts as the procedure to be followed by the Department when it desired to secure the observance of what it considered the law on the part of school boards. He might refer in this connection to Sections 36 and 49 of the Act of 1872, to Section 13 of the Act of 1883, and to Section 46 of the Education Endowments Act of 1882. In all these cases the Department did not assume the judicial function, but proceeded to put the law into motion on a complaint at the instance of the Lord Advocate, leaving the Courts free to pronounce as to the rightfulness of the course suggested. Then, as regarded public policy, it was, he believed, an unheard-of thing, and it certainly would seem to be undesirable, that a Government Department should be placed in the position of having its decisions appealed against to any other Court than the High Court of Parliament. This was avoided, in the Government proposal, by not investing the Department with any judicial power from the exercise of which there could be an appeal, but by requiring the Department, if a decision as to the legality of any act of a school board was to be pronounced, to invoke the assistance of a Court of Law in the first place. The real difference between Lord Balfour's proposals and those of the Government, as amended by the two Amendments now on the Paper, was not really very great, and he could not help expressing the sincere hope that his noble friend would see his way to withdraw his opposition and so ensure to Scotland the enjoyment of the undoubtedly great benefits which this Bill would confer if passed.

Amendment moved—

"In page 24, line 25, to leave out from the word 'account' to the end of line 11, on page 25, and to insert the words 'and, in the event of any expenditure of the same nature as any payment so disallowed being incurred in any subsequent year by any school board to whom such disallowance shall have been timeously notified by the Department, the Department, if they should be of opinion that the members authorising such expenditure should be surcharged, may present a petition to either division of the Court of Session craving to have such expenditure declared illegal, and the said members of the school board ordained to refund the amount of such expenditure in the event of it being declared illegal; and the Court shall, before granting or refusing the prayer of such petition, consider any representations made in answer thereto by the members proposed to be surcharged; and the Court shall have power to find that the expenses of the said proceedings shall be payable by the said members personally or out of the school fund as may appear just.' "—(*Lord Herschell.*)

LORD BALFOUR OF BURLEIGH said that as between the clause which the Committee inserted on his Motion and the clause as now proposed by the noble Lord in charge of the Bill, there were two points conceded in favour of the view which he (Lord Balfour) had ventured to express. There was no doubt that the Amendment was a considerable strengthening of the law of audit so far as school boards were concerned. It was also the case that the anomaly would now be done away with under which each school board in the country would have been allowed once to offend against the law. The position of affairs would now be that if a particular item of school board expenditure was once for all declared illegal every school board would, if due notice was given to them, as, of course, would be the case, be bound by that decision. That was a very important concession, and one for which he expressed his gratitude. The other concession was that, even as regarded the first offence, any ratepayer could, if the sum involved was one of any magnitude, take the offending members of the school board to Court and have them surcharged for the illegal expenditure. There remained only the question of the appeal. He ventured to think that when the accountant had found an expenditure to be illegal and when the Department had certified that it was so, it would have been much more appropriate if the persons against whom the strong presumption was made were themselves to appeal to the Court, and not that the onus of taking an appeal should lie the other way. The idea of the dignity of the Department being offended by such an appeal was a little thin. At present the Secretary for Scotland could be made a respondent in an action by a town council if he wrongfully surcharged. But he frankly admitted that, in all the circumstances, the question as to who was to appeal to the Court for the final decision did not seem to him a point of substance on which, after the concession which had been made, they should quarrel. He gladly accepted this as a great advance upon school board audit, but hoped it would not be taken as a precedent for cutting down county council, town council, and parish council audits, which were more stringent. He would have preferred, as a matter of practice, if the present Amendment had been inserted in another place, but he would be satisfied if he received an assurance from the Government that they meant to stand by the Amendment in the other House. If that assurance were forthcoming he would gladly respond to the appeal made by Lord Herschell, and not press his view in the matter further.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): I am very glad to hear that the substance of the Amendment meets with the approval of the noble Lord opposite. It was so clearly explained by my noble friend who represents the Department that I do not propose to touch in any way on its merits. I will merely deal with the point mentioned by the noble Lord at the end of his remarks with regard to the procedure when the Bill goes back to the other House. I have been in communication with my right hon. friend the Secretary for Scotland on this matter and he assures me that this Amendment will be a Government Amendment in another place, and that he will stand to it. I think that will meet the wishes of the noble Lord.

On Question, Amendment agreed to.

Consequential Amendments agreed to.

Amendment moved—

"In page 26, line 41, after subsection (6) to insert the following new subsection: '(7)

Notwithstanding anything in this section contained, any ratepayer or elector who shall be dissatisfied with the account of a school board or any item therein may complain against the same by petition to the sheriff specifying the grounds of objection, and the sheriff shall hear and determine the matter of complaint, and his decision shall be subject to the same right of appeal as in ordinary actions in the Sheriff Court. Provided always, that it shall not be competent to petition the sheriff after the lapse of three months from the date of publication of the abstract of the accounts in terms of subsection (2) (*f*) of this section.' "—(*Lord Herschell.*)

On Question, Amendment agreed to.

LORD HERSCHELL moved the deletion of subsection (3) of Clause 27. The subsection ran—

> " On the application of a school board, or on the petition of not less than ten ratepayers, the Department may, for the purposes of the school board election, if they think fit, divide the school board district into two or more electoral divisions, may define the boundaries of such divisions, and may fix the number of members of the school board to be elected within each division."

This subsection was, he said, originally inserted when it was proposed to do away with the cumulative vote,and was not now necessary. Apart from this, it conflicted to a certain extent with the provision in Schedule B of the Act of 1872.

Amendment moved—

> " In page 28, after line 9, to leave out subsection (3)."—(*Lord Herschell.*)

On Question, Amendment agreed to.

LORD BALFOUR OF BURLEIGH moved to amend Clause 30, which provided that—

> " When any part of the annual revenue administered under a scheme approved in terms of the Educational Endowments (Scotland) Act, 1882, or under any Provisional Order confirmed by Act of Parliament, is applicable to the granting of bursaries, or to the payment of fees, such part of the revenue, if not on the average exceeding £50 per annum, shall be paid over in each year by the governing body of the endowment to the secondary education committee of the district, to be applied to the granting of bursaries in conformity with the general scheme for the district framed by the said committee, and, if on the average exceeding fifty pounds but not exceeding one thousand pounds per annum, shall, notwithstanding any provision of the scheme hitherto regulating the number, amount, conditions of tenure, or method of award of the bursaries, be applied by the governing body to the granting of bursaries in conformity with the general scheme for the district as aforesaid."

He moved to insert, after the words "if on the average exceeding £50 but not exceeding," the words "£500 per annum in the case of endowments the revenues of which before the passing of this Act might be applied to purposes in two or more counties, or in any other case not exceeding." This Amendment raised a point of considerable substance. The effect of Clause 30 was, as he thought, to take away from certain governing bodies the autonomous administration of the funds under their control. The clause laid down that whenever a governing body had bursaries under £50 annual value they were absolutely and entirely to be handed over to the district committee, but when they were above £1,000 in value they were to be left entirely in the hands of the governing body. He thought that was rather a wide gap. The latter of those limits could only apply to towns. There were in country districts sums considerably above £50 a year, but under £1,000, which it was unfair to divert from the control of the governing body. He knew of an instance in the county of Banff where the annual amount of bursaries was £600 or £700. That bursary fund was administered under a scheme formed within the last twenty years, and the governing body was fully representative. It seemed hard that in a case where the endowment had been reformed so recently the fund should be merged into the general bursary scheme of the county.

Amendment moved—

> " In page 30, line 3, after the second word 'exceeding,' to insert the words 'five hundred pounds per annum in the case of endowments, the revenues of which before the passing of this Act might be applied to purposes in two or more counties, or in any other case not exceeding.' "—(*Lord Balfour of Burleigh.*)

LORD HERSCHELL said there were only six endowments which would be exempted by Lord Balfour's Amendment. The governing bodies of three of those had approached the Government during the earlier stages of the Bill, and fully stated their case. After full discussion they expressed themselves satisfied with the provisions in the last paragraph of the clause, viz.—

> "Provided also that when the governing body of any such endowment are of opinion that this section is inapplicable or is unfair in its application in the case of the endowment administered by them, they may represent their views to the Department, who, after making such inquiry as they may deem fit, may make an order either exempting the revenue of the said endowment from the provisions of the section, or confirming the application of the section to such revenue."

Of the remaining three, two were, he understood, quite acquiescent, and, therefore, there remained only one governing body strongly opposed to the provision. He could assure the noble Lord that any representations made to the Department under the proviso would receive the fullest and fairest consideration. He hoped this assurance would satisfy the noble Lord.

Lord BALFOUR of BURLEIGH said that, after the assurance given, and the circumstances in which they were placed, he had no alternative but to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Drafting Amendments agreed to.

Amendment moved—

> "In page 32, after line 11, to insert the words 'Except in Section 6 of this Act, the expression "parent" includes guardian and any person who is liable to maintain or has the actual custody of the child or young person; and in Section 6 the expression "guardian" includes any person as aforesaid.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Lord HERSCHELL explained that the object of his next Amendment was to make the definition include certain schools which were not at present included.

Amendment moved—

> "In page 32, line 16, after the word 'Parliament,' to insert the words 'or a school in receipt of any other grant from the Department a condition of which is that the average fee per child shall not exceed ninepence a week or such other sum as may be fixed from time to time by regulations of the Department.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Bill to be read 3^a To-morrow, and to be printed as amended. [No. 253.]

Lord Herschell.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Earl Carrington.*)

Lord BALFOUR of BURLEIGH, who had given notice, on the Motion that the House do resolve itself into Committee, to move that the Bill be referred to a Joint Committee on Consolidation Bills, said: My Lords, before the Question is actually put, the Amendment which stands in my name should be disposed of. I venture to recur to the discussion which took place a few days ago, at the conclusion of which the noble Earl the Leader of the House rather implied that some of us on this side had been unfair to the noble Earl the President of the Board of Agriculture. I do not think that is the case, and I would say, in passing, that I am sure there is no Member of the Government to whom we less desire to be unfair than to the noble Earl the Minister for Agriculture. But it is really, I think, a large strain upon our good nature to ask us at this period of the session to pass this Bill. I think it would have been much wiser to have taken the Second Reading earlier, and given longer time for Committee. This really is more than a consolidating Bill. This was pointed out the other day, and there are Amendments on the Paper in the names of Lord Camperdown and Lord Saltoun, showing that there are material points in which it is more than a Consolidation Bill. It imports new matter. Another instance of this was brought to my notice this morning. If a tenant under the existing Act desires a piece of drainage done, the landlord has three alternatives—he may let the tenant do it, he may do it himself, or he may endeavour to agree on the amount of compensation to be awarded on its being done. In this Bill, however, the option of the landlord to do it himself is cut away altogether, and he can only do it himself after he has contended with the tenant and failed to come to an agrreement. I hold strongly that when drainage work has to be done it is bad policy to leave it to the tenant, and that it is very much wiser that the landlord should do the work himself. I venture to think that it is not reasonable, in what professes to be a Consolidation Bill, to cut out that alternative. The noble and learned Lord on the Woolsack will bear me out when I say that during the past session we have had a most successful operation of a Joint Committee on Consolidation Bills. A long and intricate Companies Bill, a Post Office Consolidation Bill, and a Statute Law Revision Bill have been gone through by that Committee without a single division, and we have made schedules of Amendments of three classes: those which are purely drafting, those which make no material change, and those which make some material change but are extremely desirable on account of judicial decisions and other matters; and I believe every one of those three Bills has a good prospect of being placed on the Statute-book this session. The whole policy of consolidation is difficult, and it will become more so if it is thought that in the guise of consolidation material amendments of the law can be made. It is in the interests of consolidation, which is a most useful work, that I plead, and plead very earnestly, for due consideration of this matter. And I still think, even at this late hour, that it would be wiser if the noble Lord would allow this Bill to go to the Committee I have indicated. I press it for this additional reason, that there are two or three matters in regard to this legislation which require amendment. There is the question of sheep valuation. Everybody knows the difficulties we got into by allowing to be accepted too hurriedly the hasty advice of one of the Law Officers of the Crown. Then there is the question of temporary pasture, as to which a lively correspondence has been going on for weeks in some of the agricultural papers in Scotland. We cannot touch these matters in this Bill when passing through Committee of the Whole House and at this period of the session, but we could do so if the Bill were referred to a Joint Committee on Consolidation Bills. If my arguments do not prevail I shall not, of course, at this time of the evening, put the House to the trouble of a division, but I do think this is a much less safe method than the method proposed in my Amendment of proceeding with Consolidation Bills, and one likely to discredit the whole process of consolidation.

Amendment moved—

"To leave out all the words after the word 'that' for the purpose of inserting the following words, 'the Bill be referred to a Joint Committee on Consolidation Bills.'"—(*Lord Balfour of Burleigh.*)

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, I very respectfully hope that I may be permitted to have my Bill. It is a very small one. In reference to what the noble Earl said respecting what fell from my noble friend and Leader the other day in his chivalrous defence of myself, it did seem a little hard on me, after the strenuous efforts that I had made to meet noble Lords opposite, that I should not be allowed to have the Bill. The Bill was introduced in the latter part of October, and I gave ample time for its consideration before taking the Second Reading. Of course, I am entirely in the hands of the House, but on behalf of Scotland, to which nation, unhappily, I do not belong, but for which I have the greatest respect, I would make an appeal to my noble friend to be merciful and not press his Amendment.

LORD SALTOUN: My Lords, I venture to sympathise with the noble Earl the Minister for Agriculture. He has had a great deal of work, and, perhaps, very little assistance in connection with this Bill, and it would, in my opinion, be a great pity if the Bill were not passed. I understand that the noble Earl is prepared to accept the Amendments on the Paper which make the Bill a purely Consolidation Bill, and I would suggest that he might next session bring forward a Bill embodying any desirable Amendments. I think that would be the simpler and better course. In the circumstances, I hope my noble friend Lord Balfour will withdraw his Amendment.

THE EARL OF CAMPERDOWN: My Lords, perhaps I may be allowed to join in the request to Lord Balfour to listen to the pathetic appeal made by the Minister for Agriculture, and let him have his Bill. As Lord Saltoun has pointed out, the noble Earl is prepared to accept the Amendments which stand in his name and in mine. It is very undesirable to introduce in a Consolidation Bill anything which approaches to new matter, and therefore I think my noble friend Lord Carrington would be well advised if he would accept Lord Saltoun's suggestion and introduce an amending Bill early next session, dealing with points that are in dispute. In the meantime I hope the noble Earl may be allowed to have his Bill.

LORD BALFOUR OF BURLEIGH: I shall not proceed with my Motion. I have drafted an Amendment that will cure the point to which I alluded, and I will put it down for a subsequent stage.

*THE MARQUESS OF LANSDOWNE: My Lords, I still venture to think the course proposed by Lord Balfour was an eminently reasonable one. This Bill professes to be a Consolidation Bill and nothing more, and it seems to me that the only way in which you can establish satisfactorily that any Bill professing to be a Consolidation Bill does not go beyond consolidation is by having that Bill thoroughly examined before the proper Committee. Therefore I think that would have been the better course to take, but I am bound to say the noble Earl the President of the Board of Agriculture has succeeded in producing upon the House a great impression by the earnestness of his plea, and he achieved a crowning triumph in having softened the often hard heart of my noble friend Lord Camperdown. In the face of that I really will not pursue my opposition further. But I take it it is agreed that the noble Earl is prepared to accept any Amendments which can be shown to be necessary in order to bring the Bill back to the strict shape of a Consolidation Bill?

EARL CARRINGTON: That is my absolute intention and my most earnest desire.

Amendment, by leave, withdrawn.

On Question, Motion agreed to.

The Earl of Camperdown.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 to 5 agreed to.

Clause 6:

LORD SALTOUN moved to amend subsection (2), which provided that a claim by the tenant of a holding for compensation in respect of any improvement comprised in the first Schedule should not be made unless notice of intention to make the claim had been given before the determination of the tenancy. He suggested alterations which would make the subsection read—

"A claim by the tenant of a holding for compensation under this Act in respect of any improvement comprised in the First Schedule to this Act shall not be made after the determination of the tenancy."

The section as it at present stood would, he said, make it possible for a tenant to make a claim at any time after he had left the farm, and it might happen that by the time the claim was made the whole of the evidence necessary to rebut the claim might have disappeared by the operations of the new tenant. It was to meet this point, and to avoid unnecessary litigation that he proposed his Amendment.

Amendment moved—

"In page 3, line 30, to leave out from the word 'made' to the second word 'the' in line 31, and to insert the word 'after.'"—*(Lord Saltoun.)*

EARL CARRINGTON accepted the Amendment.

On Question, Amendment agreed to.

Amendment moved—

"In page 3, line 36, to leave out the words 'notice may be given,' and to insert the words 'claim may be made.'"—*(Lord Saltoun.)*

On Question, Amendment agreed to.

LORD SALTOUN moved an Amendment requiring that the notice to be given under subsection (3) should be "by registered letter or otherwise." These words were in the 1900 Act, and he moved their insertion here in order that there should be evidence that the notice had been given.

Amendment moved—

"In page 4, line 5, after the word 'given,' to insert the words 'by registered letter or otherwise.'"—(*Lord Saltoun.*)

EARL CARRINGTON accepted the Amendment.

On Question, Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 10 agreed to.

Clause 11:

EARL CARRINGTON moved to amend subsection (5)—

"(5) Any person who wilfully and corruptly gives false evidence before an arbiter or oversman in any arbitration under this Act shall be guilty of perjury, and may be dealt with, prosecuted, and punished accordingly,"

by omitting the words "or oversman." He believed "oversman" was Scottish for "umpire," and as the arbitrations under the Bill were before a single arbitrator there could not be either oversman or umpire.

Amendment moved—

"In page 7, line 16, to leave out the words 'or oversman.'"—(*Earl Carrington.*)

LORD SALTOUN inquired whether the word "oversman" in this connection referred to sheep valuation. If so, under sheep valuation there were two arbitrators, and, therefore, it might be desirable to retain the word.

THE EARL OF CAMPERDOWN said the contention of the Government was that, as the words stood, sheep valuation was not touched. Whether that was correct or not was a matter of opinion, but if the Government really meant that sheep valuation was not to be affected he would strongly advise the noble Earl to leave in the word oversman.

EARL CARRINGTON said this was a very vexed question, and if the matter were allowed to stand over until the Report stage he would in the meantime consult the Law Officers of the Crown.

Amendment, by leave, withdrawn.

Clause 11 agreed to.

Clauses 12 to 16 agreed to.

Clause 17:

Drafting Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19:

LORD BALFOUR OF BURLEIGH said it had been his intention to move an Amendment in this clause, but he had since discovered, at the bottom of page 18, this definition—

"Anything which by or under this Act is required or authorised to be done to, by, or in respect of the landlord of a holding may be done to, by, or in respect of any agent of the landlord duly authorised in that behalf."

Therefore, he took it that it was unnecessary to insert words referring to the agent in each case where the landlord was mentioned.

LORD CLINTON said the definition of landlord given at the top of page 18 was—

"'Landlord' means any person for the time being entitled to receive the rents and profits or to take possession of any holding."

This did not include the agent.

THE LORD CHAIRMAN: There is no Amendment before the House upon this clause. Does the noble Lord move any Amendment?

LORD CLINTON then moved to amend subsection (*d*)—

"(*d*) If the landlord makes no such intimation within one month, the lease shall be binding on the landlord and the legatee respectively, as landlord and tenant, as from the date of the death of the deceased tenant,"

by inserting, after the words "If the landlord," the words "or his known agent."

Amendment moved—

"In page 11, line 6, after the word 'landlord' to insert the words 'or his known agent.'"—(*Lord Clinton.*)

LORD BALFOUR OF BURLEIGH said that, in his opinion, the Amendment was rendered unnecessary by the definition at the bottom of page 18 to which he had referred, but he suggested that in any case the matter might stand over until the next stage.

LORD CLINTON agreed to withdraw the Amendment on the understanding that he would move it again on Third Reading if necessary.

Amendment, by leave, withdrawn.

Clause 19 agreed to.

Clause 20:

LORD CLINTON moved to leave out the words "notice of removal" in subsection (5) of Clause 20 (tenants' property in fixtures and buildings), in order to insert "such notice." He pointed out that the words "notice of removal" had a limited or technical meaning in agricultural law and in leases and agreements between landlord and tenant in Scotland. The Amendment made no difference in the sense of the clause.

Amendment moved—

"In page 12, lines 16 and 17, to leave out the words 'notice of removal,' and to insert the words 'such notice.'"—(*Lord Clinton.*)

EARL CARRINGTON accepted the Amendment.

On Question, Amendment agreed to.

Amendment moved—

"In page 12, lines 16 and 17, to leave out the words 'of removal.'"—(*Lord Clinton.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 12, line 19, to leave out the words 'of removal,' and to insert the words 'given by the tenant as aforesaid.'"—(*Lord Clinton.*)

On Question, Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21, agreed to.

Clause 22:

Drafting Amendment, agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 34, agreed to.

Clause 35:

THE EARL OF CAMPERDOWN moved to leave out the words—

"'Agreement' includes an agreement arrived at by means of valuation or otherwise, and 'agreed' has a corresponding meaning."

He thought the meaning of the word "agreement" was well understood, and hitherto there had been no definition. If the words meant nothing, no purpose was served by inserting them, while if they had a special meaning they introduced something new. As at present advised he could not see their object, as they merely provided that an agreement included an agreement.

Amendment moved—

"In page 18, to leave out lines 28, 29, and 30."—(*The Earl of Camperdown.*)

EARL CARRINGTON accepted the Amendment.

On Question, Amendment agreed to.

Clause 35, as amended, agreed to.

Remaining clauses agreed to.

Standing Committee negatived; the report of Amendments to be received on Thursday next, and Bill to be printed as amended. [No. 254.]

BUXTON CHARITY BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD DENMAN: My Lords, this Bill and the two following Bills on the Paper are promoted by the Charity Commissioners, and, as the same principle is involved in each, I trust that at this late hour a very few words of explanation may suffice. Those of your Lordships who have read the Bills will have noticed that the most important part in each case is contained in the Schedules. The main object of the schemes in the Schedules is to authorise a variation in the trusts upon which the respective chapels are settled, so as to bring them in accordance with the doctrines generally held at the present time by the congregation or denomination to which the chapel belongs. In 1907 the Commissioners approved and certified, under the provisions of the Charitable Trusts Act, 1853, three schemes which require in each case an Act of Parliament to give effect to them. The three charities are the Buxton Congregational Chapel Charity, the Long Ashton Charity in the county of Somerset, and the Abbots Bromley Congregational Chapel Charity in the county of Stafford. I understand that it is not an unusual thing for the Charity Commissioners to come to Parliament as a matter of course for the ratification of these schemes. If your Lordships desire any further details with regard to any case I shall be happy to give them.

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

On Question, Bill read 2ª, and committed to a Committee of the Whole House To-morrow.

LONG ASHTON CHARITY BILL.

Read 2ª (according to order) and committed to a Committee of the Whole House To-morrow.

ABBOTS BROMLEY CHARITY BILL.

(Read 2ª, (according to order) and committed to a Committee of the Whole House To-morrow.

SUMMARY JURISDICTION (SCOTLAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD HERSCHELL: My Lords, the object of this Bill is to amend and consolidate the law regulating procedure in summary Criminal Courts in Scotland. At present the procedure in the Sheriff's Summary Criminal Court and in the Justice of Peace Court is regulated by the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, while the procedure in the Burgh Police Courts is regulated by the Burgh Police (Scotland) Act, 1892, and in some of the larger towns—Glasgow, Edinburgh, Aberdeen, and Greenock—by Local Police Acts. The Bill proposes to repeal the Summary Jurisdiction Acts of 1864 and 1881, and the procedure clauses in the Burgh Police Act of 1892, and in the Local Police Acts, and to substitute one common code of summary criminal jurisdiction. The Bill also proposes to repeal, too, the Summary Prosecutions Appeals (Scotland) Act, 1875, which regulates appeals to the High Court of Justiciary by way of stated case in summary criminal cases. The provisions of that Act are embodied in this Bill in an amended and simplified form. I should perhaps also state that one of the advantages of the measure is to supersede municipal statutes, which deal with procedure in summary causes by a general Act, advantage being at the same time taken of all the steps which the private Acts have proved by experience to be really effective improvements and to work these into the general law of Scotland. This is in entire accord with the feelings of the Judges, and, from the point of view of general administration as well as codification is felt will be extremely helpful.

Moved, "That the Bill be now read 2ª."—(*Lord Herschell.*)

LORD BALFOUR OF BURLEIGH: My Lords, I think there can be no possible objection to the Second Reading of this Bill. I think that in all probability, after the care which has been taken in regard to this Bill in Scotland, it may pass with very little or no Amendment. It proceeds upon the Report of a Departmental Committee appointed by myself some years ago, of which successive Lords Advocate have been chairmen. People in Scotland are as nearly as possible unanimous about this Bill. The Judges are in favour of it, as well as the Faculty of Advocates and the Procurators' Society. I know of only one point of difference. There is still an open question as to the prerogative of county councils and municipal councils through their officers to prosecute for certain statutory offences and to get the benefit of the penalty. I think it would be much better if the Law Officers of the Crown in Scotland could see that the procurators fiscal prosecuted in these cases, and then all questions about the fines would fall to the ground. I cordially support the Second Reading of the Bill.

On Question, Bill read 2ª., and committed to a Committee of the Whole House on Wednesday next.

LOCAL GOVERNMENT (SCOTLAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD HERSCHELL: My Lords, this Bill amends the Local Government (Scotland) Act, 1889, which established county councils in Scotland. The Local Government (Scotland) Act of 1894, which set up parish councils, did, as originally introduced, contain several clauses amending the Act of 1889. These clauses were, however, dropped, and since that time those who have had to administer the Act of 1889 have discovered various other points upon which some Amendment of the law is necessary. In 1906, a private Member's Bill incorporating many of these points was introduced in the other House, and the Secretary for Scotland gave an undertaking that the Government would consider legislation on the subject. The present Bill, to a very large extent, follows that private Member's Bill, and has been adjusted in conference with experienced officials and representatives, both of county and burgh authorities. Besides conferring various other powers on county councils the Bill enables them to adopt various provisions of the Burgh Police Acts within special districts of the county. The Bill has been treated through all its stages as an agreed Bill, and I therefore feel that it is not necessary for me to say more in moving the Second Reading.

Moved, "That the Bill be now read 2ª."—(*Lord Herschell.*)

On Question, Bill read 2ª, and committed to a Committee on Wednesday next.

EAST INDIA LOANS BILL.

Brought from the Commons. Read 1ª, and to be printed. [No. 255.]

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Brought from the Commons, read 1ª, to be printed; and to be read 2ª tomorrow (The Lord Steward (*E. Beauchamp*)). [No. 251.]

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Returned from the Commons with several of the Amendments agreed to; several others agreed to with Amendments; and several others disagreed to; with reasons for such disagreement. The said Amendments and reasons to be printed. [No. 252.]

BUSINESS OF THE HOUSE.

*THE MARQUESS OF LANSDOWNE: Before the noble Earl the Leader of the House moves the adjournment I would ask him whether he can give us any idea of the business likely to come before the House in the next few days.

*THE EARL OF CREWE: My Lords, we propose to take as the first Order to-morrow the Second Reading of the Coal Mines (Eight Hours) Bill, and I intend, although there are other Motions on the Paper, to move the suspension of the Standing Order with a view to that Bill being taken first. It is impossible to say how long the House may wish to debate the Second Reading, but we shall leave on the Paper the Committee stage of the Prevention of Crime Bill and also the Third Reading of the Scottish Education Bill, which I should think is likely to pas without any debate. On Wednesday

Lord Willoughby has a Question on the Paper on motors. It is a very short Question, and may receive a very brief Answer, but, of course, according to the agreeable practice of this House, it would be possible for noble Lords to raise a debate dealing with the whole question of motor legislation. I hope, however, that that will not be done. We should then desire to proceed with the Committee stage of the Port of London Bill, and, should that be concluded, to take the Commons' Amendments to the Housing of the Working Classes (Ireland) Bill. On Thursday I hope my noble friend Lord Morley will be sufficiently recovered to be in his place and make the statement on the subject of India which he has unfortunately been obliged to defer. As we hope that that will not be followed by any very lengthy debate, we propose to proceed either with the Committee stage of the Port of London Bill, should that not have been concluded, or with the other business down for Wednesday. But should the rest of the business down for Wednesday have been cleared off the Paper, we should ask your Lordships to take the Committee stage of the Coal Mines (Eight Hours) Bill. It is, I think, perfectly evident at any rate that we shall have to sit on Friday, but beyond that I will not at this moment venture to prophesy.

House adjourned at five minutes past Twelve o'clock, a.m., till a quarter past Four o'clock p.m.

HOUSE OF COMMONS.

Monday, 14th December, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, ETC.

COUNTY AND BOROUGH COUNCILS (WOMEN ELECTORS).

Return [presented 11th December] to be printed. [No. 364.]

ARMY RESERVE.

Copy presented, of Further Regulations for the Army Reserve [by Act]; to lie upon the Table.

ARMY (TERRITORIAL FORCE).

Copy presented, of Further Regulations for the Territorial Force [by Act]; to lie upon the Table.

CENSUS OF PRODUCTION ACT, 1906.

Copy presented, of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

TREATY SERIES (No. 33, 1908).

Copy presented, of Convention between the United Kingdom and France respecting the exchange of Post Office Money Orders between France and the Transvaal. Signed at London, 25th January 1908. Ratifications exchanged at London, 30th November, 1908 [by Command]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report No. 589 (British Guiana, Report for 1907–8) [by Command]; to lie upon the Table.

LABOURERS (IRELAND) ACTS.

Return ordered, "showing the number of appeals under the Labourers (Ireland) Acts to the County Courts since the 1st day of November, 1906 and setting forth the same in respect to each rural district affected, the number of cottages and plots being the subject matter of such appeals, how many were approved and how many disallowed on appeal."—(*Mr. Kendal O'Brien.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Cost of Living at Bangor, County Down.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General whether the cost of living has yet been obtained at Bangor, County Down, Ireland; and, if so, can he state what is the final classification of the indoor and outdoor staff, respectively.

(*Answered by Mr. Sydney Buxton.*) The Board of Trade has not been asked to conduct a special inquiry into the cost of living at Bangor, County Down. The final classification of Bangor has not yet been decided.

Pay of Casual Labour in the Post Office at Christmas.

Mr. HORNIMAN (Chelsea): To ask the Postmaster-General whether he will explain why the casual men taken on for Christmas work in the letter department in London start at 24s. per week while in the parcels department they commence at only 20s. per week; and what is the test that the latter men have to pass before their wages are increased to 24s. per week.

(*Answered by Mr. Sydney. Buxton.*) All casual men engaged during the Christmas season to assist with sorting work, whether for letter or for parcel work, have to acquire some knowledge of sorting before any practical use can be made of their services, and during the period of tuition they are paid at the rate of 20s. a week. When they are able to pass an easy test, which is, as a rule, in a few days, they are paid at the rate of 24s. a week. The casual force engaged to assist as postmen and porters do not need training, and they are paid at the rate of 24s. a week from the commencement of their employment, which is, as a rule, of shorter duration than that of the sorting force.

Expenditure on Licensing Public Vehicles.

Mr. CLAUDE HAY (Shoreditch, Hoxton): To ask the Secretary of State for the Home Department whether a sum of £41,658 11s. (according to the Metropolitan Police Accounts for 1907–8) was the annual expenditure in the licensing of public vehicles and drivers and conductors in the Metropolitan area; and whether he will furnish a statement showing fully how this total is made up, what sum it amounts to per vehicle and per man licensed, and also what is the cost of this work for each of the last ten years.

(*Answered by Mr. Secretary Gladstone.*) The sum mentioned represents the expense of carrying out the provisions of the Public Carriage Act, 1869, and the London Cab Act, 1907, within the Metropolitan Police district during the year, 1907–8. Full details of the expenditure will be found on page 9 of the Accounts for that year. The number of vehicles licensed in 1907–8 was 16,132, and the number of men was 31,162. The pay and expenses of clerks and inspectors, and other items of expenditure, cannot be apportioned as between vehicles and drivers and conductors, and it is therefore impossible to state the average expenditure per vehicle and per man licensed. The expenditure for the past ten years has been as follows—

Year to 31st March.

——	£	s.	d.
1899	35,533	2	9
1900	35,135	10	0
1901	37,224	11	0
1902	39,669	15	1
1903	38,558	7	1
1904	38,536	0	1
1905	38,515	13	5
1906	39,155	7	9
1907	40,398	9	10
1908	41,658	11	5

Public Vehicles and Traffic Regulations.

Mr. CLAUDE HAY: To ask the Secretary of State for the Home Department whether, under the regulations sanctioned by his Department, the exhibition of small printed notices in Metropolitan stage carriages of important matters affecting the public in relation to traffic working is prohibited; and, if so, whether an amendment of the regulations in this direction will be introduced.

(*Answered by Mr. Secretary Gladstone.*) The exhibition of these notices is not prohibited, but requires the Commissioners' approval. Any reasonable request is never refused.

Drivers' and Conductors' Licences.

Mr. CLAUDE HAY: To ask the Secretary of State for the Home Department whether the holder of a driver's licence is unable to act as the conductor of a Metropolitan stage carriage unless he is also the holder of a conductor's licence, and *vice versa*; whether each of such licences cost 5s. per annum and are renewable yearly; whether any other licensing authority makes so high a charge; whether, even in paying for both licences, a conductor has to deposit his driver's licence with the police, and similarly with a driver; whether considerable inconvenience is thus caused to the licence-holder in changing from driver to conductor, or *vice versa*, especially when a man's duty is required to be altered at short notice in order that his employers may be able to fulfil their obligations to meet the public convenience; whether, when the holder of one licence applies for another licence to enable him to act in either capacity, even when he may have acted in a licensed capacity, without change of employer, for twenty years, a delay of two or three weeks not infrequently occurs whilst the inquiries applicable to an entirely new application are prosecuted; and whether he will arrange for a composite licence, at one annual charge, to cover driver and conductor,

(*Answered by Mr. Secretary Gladstone.*) The question of composite licences presents considerable difficulties, and is being carefully considered by the Commissioner of Metropolitan Police at the present time.

Distress Committee for Grays Thurrock.

MR. WARDLE (Stockport): To ask the President of the Local Government Board whether he can now say if his Board is prepared to grant the application of the Grays Thurrock Urban District Council for sanction to create a distress committee.

(*Answered by Mr. John Burns.*) I am in communication with the district council on this subject, and am not at present in a position to arrive at a decision with regard to it.

The Salvation Army and the Truck Act.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the Secretary of State for the Home Department whether he is aware that the most part of the men employed by the Salvation Army at the Hanbury Street joinery works only receive in cash from 6d. to 3s. per week, the rest of their wages being paid in kind, *i.e.*, food and lodgings; and whether, seeing that this is contrary to the provisions of the Truck Act, he will institute proceedings against the responsible manager.

(*Answered by Mr. Secretary Gladstone.*) As I have stated in answer to previous Questions on this subject, it is not at all clear that the Truck Acts apply to the case of persons seeking aid from charitable institutions; and the extension of the Act to cover such cases would involve considerable difficulties. I understand that the matter has been considered by the Committee on the Truck Acts, whose Report is expected shortly.

Dirty Carriages on the London, Brighton and South Coast Railway.

MR. COOPER (Southwark, Bermondsey): To ask the President of the Board of Trade whether his attention has been drawn to the public complaints of the unclean condition of many of the third-class carriages on the suburban lines of the London, Brighton, and South Coast Railway; whether any public authority is charged with the duty of inspecting the condition of railway carriages and prohibiting unclean carriages being used; and, if not, whether his Department has any power in the matter.

(*Answered by Mr. Churchill.*) I have recently received a complaint in this matter which I have forwarded to the railway company. I now propose to invite the company's observations upon my hon. friend's Question, and will communicate with him in due course.

Excess Postage on Letters from Abroad.

MR. HENNIKER HEATON (Canterbury): To ask the Postmaster-General whether his attention has been directed to the hardship inflicted on innocent people of imposing a fine amounting to double the deficiency on letters from abroad; whether he is aware that a gentleman in this country complained recently that he sent a letter to Papua, New Guinea, for 4d., that his correspondent there sent a reply in a letter of less weight and prepaid 4d. for postage, and that the recipient in this country was charged 3s. 8d. for deficient postage on this letter, the whole of which sum was appropriated by the British Postmaster-General and went into the British Treasury; and will he say whether the rate of postage from England to Papua, British New Guinea, is 1d. per ounce, while the rate of postage from Papua to England is 4d. per ounce.

(*Answered by Mr. Sydney Buxton.*) It is in accordance with the provisions of the International Postal Union Convention that the surcharge on insufficiently prepaid letters is double the deficiency and is collected from the addressee. The Postal Union has declined to alter the practice, though, at the last Conference, the British delegates pressed for a reduction. I am not aware of the facts in the case referred to by my hon. friend; but if he will furnish full particulars I will make further inquiry. If, as seems to be suggested, the letter weighed less than four ounces, and was prepaid 4d., the surcharge should, it would appear, have been less than 3s. 8d. The rate of postage from England to Papua, British New Guinea, is 1d. per ounce, and in the reverse direction is the Australian rate of 2d. per half ounce.

Postage on Foreign Letters.

MR. HENNIKER HEATON: To ask the Postmaster-General whether, at the Postal Union Conference held in Rome in 1886, it was agreed that the weight of a letter at the minimum rate of postage to and from foreign countries be one ounce or the equivalent of an ounce; whether he will state what countries have carried into effect this reform, what is the present rate of postage and weight allowed for each letter from the following countries to Great Britain and Ireland, Austria, Belgium, Denmark, Norway, Sweden, France, Germany, Holland, Italy, Spain, Portugal, Switzerland, Turkey, Greece, Roumania, Russia, and United States; and whether he has any objection to publish the above information in the next issue of the British "Postal Guide."

(*Answered by Mr. Sydney Buxton.*) The hon. Member is under a misapprehension. The international unit of weight for a letter was not fixed at one ounce or the equivalent of one ounce. The unit decided on was 20 grammes, less than three-fourths of an ounce. But on the motion of the British delegates, permission was given to certain States, of which Great Britain was one, to adopt one ounce as the unit weight. At the same time other States were permitted to retain the former unit of 15 grammes. In the result, some States of the Union have fixed the unit weight for letters in the International service at 15 grammes, some at 20 grammes, and some at one ounce. I will send the hon. Member the detailed information he asks for. I could not undertake to publish it in the "Post Office Guide."

Licensing Charges for Stage Carriages in London.

MR. BOWLES (Lambeth, Norwood): To ask the Secretary of State for the Home Department whether he is aware that while in the larger provincial cities the average annual charge for a stage carriage police licence is under 5s., this charge in London is £2, in addition to the Inland Revenue licence of 15s.; and can he inform the House upon what principle this differentiation is made.

(*Answered by Mr. Secretary Gladstone.*) I am aware that in some of the large provincial cities the annual charge for a public carriage licence does not exceed 5s., while in other large towns it is more; but the conditions of traffic in London are unlike those in any other city, and it is estimated that in the current financial year the cost of administering the Public Carriage Acts will involve a net charge of about £2,000 on the Metropolitan Police Fund, after allowing for the sums received for licences.

Claiming of Lost Property from Scotland Yard.

MR. BOWLES: To ask the Secretary of State for the Home Department whether he is aware that, in order to secure the return of property left in Metropolitan stage carriages, it is necessary for claimants inhabiting outlying parts of London to travel up to New Scotland Yard, at great inconvenience and expense, especially to persons of the poorer classes; and, if so, will he consider whether the regulations relating to lost property could not be amended so as to allow the local police to retain all such lost property for a few days thus enabling claimants to obtain it in their own districts, and to avoid the inconvenience and expense to which they are now put.

(*Answered by Mr. Secretary Gladstone.*) The hon. Member has not been correctly informed, since it is unnecessary for losers of property who are able to give satisfactory details by letter to attend at Scotland Yard, their property being sent to them by post when they so desire. Apart from other difficulties, the suggestion made in the Question is not practicable, because the property may be left in the stage carriage in an entirely different part of London from that in which the owner resides, and it would often be more convenient for the owner to go to the local police station than to New Scotland Yard. Moreover, the owner would often not know in what district he left his property or in what district it might be found, and would therefore have to pursue his inquiries from one police station to another along the whole route of the omnibus. Under the existing arrangement, everyone knows where to apply, and I am informed that no complaints have been received of any inconvenience.

Pay of Extra Men at Sheffield Post Office.

MR. SEDDON (Lancashire, Newton): To ask the Postmaster-General whether he is aware that the extra men now being engaged at the Sheffield General Post Office are being paid 5½d. per hour for a forty-five-hour week, instead of 25s. per week for the same number of hours; and, if so, what steps he proposes to take.

(*Answered by Mr. Sydney Buxton.*) As I have already stated in the House, the rates of pay for extra men varied according to the district. It seemed advisable, as far as possible, to place the rate of pay on a uniform basis, and to base them on the rates recommended by the Select Committee for auxiliary service. Besides the fixed rate, the men receive special pay for night work, for Christmas Day and Boxing Day, and get overtime pay where it has to be worked. The general net result of the alteration will be an increase in the total amount of pay. The payment of 5½d. per hour, which it is proposed to pay at Sheffield, is the auxiliary rate proper to that office. The reference to a forty-five-hour week is not understood, as probably all the casual force will be employed for at least forty-eight hours during the Christmas week.

Old-Age Pensions—Army Pensioners Receiving Advances from Guardians.

MR. SNOWDEN (Blackburn): To ask the President of the Local Government Board if he is now able to give an answer to the question as to whether an Army or other pensioner who receives weekly advances from the guardians between his quarterly pension days, such advances being deducted from his pension, is eligible for an old-age pension.

(*Answered by Mr. John Burns.*) I am advised that such a person would not be eligible for an old-age pension.

Claim of Mr. W. R. Morgan.

MR. J. WILLIAMS (Glamorganshire, W.): To ask the President of the Local Government Board whether, in view of the correspondence that has passed between his Department and a person named W. R. Morgan, residing at a house named Westfa, Mumbles, who claims, without prejudice, the sum of £5 for damages caused by the flooding of his house on the night on the 25th ultimo, and his reply thereto, he will state the grounds upon which he repudiates responsibility in the matter; whether he has drawn the attention of the local authority to the same; and further, what steps, if any, have been taken to avoid a repetition of such an incident.

(*Answered by Mr. John Burns.*) Mr. Morgan sent me a copy of some correspondence he had had with the Oystermouth District Council, from which it appeared that he had claimed compensation from them in consequence of his house having been flooded during a heavy storm on the night of 25th September last, owing, as he considered, to a certain drain course not having been kept clear. The district council repudiated liability, and thereupon Mr. Morgan wrote suggesting that he was entitled to make a claim for compensation against the Local Government Board. It is evident that the alleged failure of the district council to keep a drain course clear gave Mr. Morgan no right to claim compensation from the Local Government Board, and he has been informed that they could not accept any responsibility in the matter. It was needless for me to draw the attention of the district council to the subject, as they were already well aware of it.

Housing and Town Planning Bill—Additional Duties on Local Authorities.

MR. CLELAND (Glasgow, Bridgeton): To ask the Secretary for Scotland whether he is in a position to state to the House the changes contemplated in the Local Government Board (Scotland) in order to carry out the added duties imposed upon that Board by the provisions of the Housing and Town Planning Bill.

(*Answered by Mr. Sinclair.*) I have nothing to add to the Answer given to the hon. Member for Leith Burghs on 6th November, a copy of which I am sending to my hon. friend.

Alleged Threats of Legal Proceedings on the Kenmare Estate.

MR. J. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are aware that threats of legal proceedings have been made to the tenants on the Kenmare estate, County Kerry, who have expressed their willingness to purchase at the prices offered by the landlord; and if the Commissioners can take any steps to effect a settlement in such cases, having regard to the fact that the estate is now before them for sale.

(*Answered by Mr. Birrell.*) The Estates Commissioners have no knowledge of the threats referred to. As regards the remainder of the Question, I would refer the hon. Member to my reply to the Question asked by him on the 7th instant.

Irish Land Bill—Issue of Statistics.

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will lay upon the Table, as a separate Command Paper, for the convenience of Members and for the purpose of facilitating consideration of the Land Bill, copies of the Tables Nos. 60 to 76, embodied in the General Report of the Census of Ireland for 1901, relating to agricultural land, tenement valuation, etc.

(*Answered by Mr. Birrell.*) The Tables referred to cover 189 pages of the General Report on the Census. I do not think that I should be justified in incurring the expense involved in reissuing these tables, which are easily accessible, as a separate Command Paper.

Special Police Protection in Ireland.

MR. BARRIE (Londonderry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of police employed in affording constant police protection to persons and property in Ireland on 30th November, 1908.

(*Answered by Mr. Birrell.*) The number of police so employed on the date mentioned was 266.

United Irish League Cases at Ballymote Petty Sessions.

MR. BARRIE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland, with reference to the decision of a majority of the justices at Ballymote Petty Sessions, on 12th November, adjourning until February next, without hearing any evidence for the prosecution, summonses charging twenty-one members and officers of the United Irish League with intimidation designed to compel Protestant farmers in the Riverstown district to become members of the League, whether the Law Officers of the Crown have now concluded the consideration of the question of making application to the Kings' Bench Division of the High Court for a writ of mandamus compelling the justices to hear and determine these cases.

(*Answered by Mr. Cherry.*) My right hon. friend has asked me to reply to this Question. I have conferred with my colleague, the Solicitor-General, and with the counsel who appeared for me at the first hearing of the case, but I do not think it would be in the public interest that I should state the conclusion at which, in concurrence with them, I have arrived.

Irish Agrarian and Non-Agrarian Outrages.

Mr. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of agrarian outrages reported to the Inspector-General of Constabulary in the years 1906 and 1907, and in the period of eleven months ended 30th November, 1908.

(*Answered by Mr. Birrell.*) The number of agrarian offences reported was: 234 in 1906; 372 in 1907; and 537 in the eleven months ended 30th November, 1908.

Mr. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of crimes classified as agrarian and non-agrarian respectively, under each of the headings firing at the person and firing into dwellings, for the period of eleven months ended 30th November, 1908.

(*Answered by Mr. Birrell.*) During the eleven months ended 30th November last the number of crimes classified as agrarian and non-agrarian under each of the headings mentioned were as follows: Firing at the person, agrarian 14, non-agrarian, 26; firing into dwellings, agrarian 61, non-agrarian 20.

Persons under Police Protection in Ireland.

Mr. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of persons receiving constant police protection and special protection by patrols throughout Ireland on 30th November, 1908.

(*Answered by Mr. Birrell.*) The number of persons receiving constant police protection on 30th November last was seventy-nine, the number receiving special protection by patrols on the same date was 272.

Cyclist Companies for Territorial Battalions.

Sir ROBERT HOBART (Hampshire, New Forest): To ask the Secretary of State for War whether, in view of the fact that a number of the best Volunteers have been lost to the Territorial Force owing to the abolition of the cyclist companies, and that it would be easier and more economical to re-establish these companies than to raise entire new cyclist battalions, and that the question of these and of the special service sections of Territorial units is still unsettled, he will give consideration to the question of raising complete special service cyclist companies for infantry units which could, if required, be brigaded for training or on mobilisation.

(*Answered by Mr. Secretary Haldane.*) The principle of having cyclist battalions in lieu of cyclist companies attached to infantry battalions was definitely adopted after very full consideration by the General Staff. This is a matter in which broad principles of organisation must necessarily override special interests. It is not proposed to reconsider the matter.

Street Improvements at Kingston, Jamaica.

Mr. OWEN PHILIPPS (Pembroke and Haverfordwest): To ask the Secretary of State for War whether a much-needed street improvement in Port Royal Street, Kingston, Jamaica, was being delayed or prevented owing to a controversy with the War Department as to encroachment; and, if so, whether he will give instructions that all reasonable facilities should be accorded to the town of Kingston in widening its streets after the earthquake.

(*Answered by Mr. Secretary Haldane.*) This matter is one that incidentally involves researches into questions of title dating back to 1745. The War Department building only projects 7 feet 6 inches beyond the line laid down for buildings by the local authorities. It is hoped that the military requirements will permit of the buildings being set back to that line.

Papuan Land Ordinance.

Mr. HART-DAVIES (Hackney, N.): To ask the Under-Secretary of State for the Colonies whether his attention has been drawn to Section 4 of Ordinance VII. of 1908, enacted by the administration of Papua, empowering boards locally appointed to decide in a summary manner all questions as to the ownership of lands in which a Papuan native is claimant, with an appeal to the central Court; whether he is aware that the Papuans are very attached to their land; that, owing to the system of fallows, it is difficult to discriminate between owned and ownerless lands; and that, owing to the extreme ignorance of legal procedure on the part of the Papuans, and to the central Court being situated in one corner of an immense tract of country, the boon of an appeal can be of no use to them; whether he will inquire from the Governor-General of the Australian Commonwealth his reasons for assenting to the Ordinance; and whether he will advise that the Ordinance be amended, with a view to special precautions being taken to safeguard native rights, such as the appointing as a member of every board constituted under the Ordinance a white man familiar with the current native language, who shall be charged to represent native interests and, when necessary, to conduct Papuan land appeals before the central Court, as well as requiring the evidence to be fully taken down in every case and the detailed reasons for every finding recorded.

(*Answered by Colonel Seely.*) The Secretary of State will ask the Governor-General for a report on the suggestions made by my hon. friend in regard to the recent Papuan Land Ordinance.

Agricultural Returns—Irish Labourers' Wages.

MR. FIELD (Dublin, St. Patrick): To ask the Vice-President of the Department of Agriculture (Ireland) whether he can state why the Returns relating to the wages paid to labourers throughout Ireland, and hitherto included in the annual Returns of agricultural statistics, have been excluded from the annual Returns for 1907.

(*Answered by Mr. T. W. Russell.*) The statistics as to the wages paid to agricultural labourers throughout Ireland in 1907 were published this year in the Department's Report and Tables relating to Irish Agricultural Labourers 1907–8, as it was considered more useful that they should appear in this Report than, as heretofore, in the agricultural statistics Returns.

Government Life Insurances—Recommendations of Departmental Committee.

MR. HENNIKER HEATON: To ask the Postmaster-General whether he is in a position to state when the recommendations of the Departmental Committee on Government life insurances will be given effect to by the Government.

(*Answered by Mr. Sydney Buxton.*) The Report of the Departmental Committee on the Post Office life insurance system is under consideration. I am not yet in a position to make any statement with regard to the Committee's recommendations.

Drumkeerin Post Office, County Leitrim

MR. F. MEEHAN (Leitrim, N.): To ask the Postmaster-General whether his attention has been called to the inadequacy of the accommodation of the Post Office in Drumkeerin, County Leitrim; whether he is aware that the public are compelled to remain in the open street in all sorts of weather awaiting replies to queries; and whether he will give instructions that the necessary accommodation should be provided in connection with this Post Office.

(*Answered by Mr. Sydney Buxton.*) The accommodation provided at the Drumkeerin Post Office is considered to be sufficient for the requirements of the locality. A counter will, however, be provided by the sub-postmaster as soon as he can make the necessary arrangements.

Deaths under Anæsthetics.

MR. BRAMSDON (Portsmouth): To ask the Secretary of State for the Home Department whether his attention has been called to the following deaths under anæsthetics: Kathleen Lee at Ryde, in the Isle of Wight, on 25th November; Robert Henry Harland, of Plough Court, E.C., on 25th November; and William List Smith at Southampton, on 3rd December; whether he has yet received the contemplated reply from the President of the General Medical Council to the communication addressed to him, and the nature of such reply; and whether, having regard to the number of deaths that are constantly occurring in all parts of the country of persons whilst under anæsthetics, he will consider the advisability of recommending the appointment of a Royal Commission to inquire into the matter.

(*Answered by Mr. Secretary Gladstone.*) My attention has not been called to the cases mentioned, except by my hon. friend's Question. I have now received, through the Lord President of the Council, a reply from the General Medical Council. The Council does not see its way to support legislation to make practical training in the use of anæsthetics a compulsory part of medical education, but it is communicating with the several licensing bodies as to how far they have given effect to the Council's recommendations on this subject.

Board of Agriculture and Fisheries—Office Accommodation.

MR. ELLIS (Nottinghamshire, Rushcliffe): To ask the First Commissioner of Works whether, having regard to the primary importance of agriculture and fishing to the economic condition and welfare of the nation, he can, without much further delay, secure that the business of the Department relating to these industries shall be transacted in more convenient and appropriate premises than those now allotted to it.

(*Answered by Mr. Harcourt.*) I am doing all I possibly can in this matter.

Defective Water Supply at Stornoway Infectious Diseases Hospital.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, having regard to the fact that the supply of water for the Infectious Diseases Hospital at Stornoway has been defective for some time, will he state whether the local authority have yet secured a satisfactory supply; and, if not, will he state the cause of the delay.

(*Answered by Mr. Sinclair.*) I am informed that a proposal to extend the water supply of the burgh of Stornoway to this hospital has been under consideration, and negotiations between the hospital joint committee and the district committee with that end in view are still in progress.

Trial of New Floating Dock at Trinidad.

MR. OWEN PHILIPPS: To ask the Secretary to the Admiralty if he will give instructions to His Majesty's cruisers when next they are in West Indian waters to make a trial docking in the new floating dock at Trinidad in order to satisfy the Admiralty of its utility for naval purposes.

(*Answered by Mr. McKenna.*) The Rear-Admiral commanding the Fourth Cruiser Squadron has already been directed to report on the suitability of the new floating dock at Trinidad for naval purposes, and further steps will be considered on receipt of that Report.

Women Clerks in the Board of Education.

MR. COOPER: To ask the President of the Board of Education whether any, and, if any, how many, women first or second division clerks are employed in his Department.

(*Answered by Mr. Runciman.*) Nineteen women clerks are employed under the Board of Education. They are not termed either first or second division clerks.

Examinations for Second Division Clerkships.

MR. NANNETTI (Dublin, College Green): To ask the Secretary to the Treasury whether His Majesty's Civil Service Commissioners have under contemplation the introduction of any change in the syllabus of examination for clerkships in the Second Division of the Civil Service; if so, whether they are prepared to give intending candidates any intimation of what the contemplated change is likely to be, having regard to the fact that many candidates have been, and are now, preparing themselves in the syllabus in use up to the present time, and, if not prepared to give such intimation, when may an official announcement on the subject be expected; whether it is contemplated to make any change in the existing age limits of seventeen and twenty years for such examination; and whether, in the event of any such change being introduced in the limits of age, will boy clerks of approved service in His Majesty's Civil Service still remain entitled to the two years extension of age to which, under their conditions of service, they are at present entitled when competing for clerkships of the second division.

(*Answered by Mr. Hobhouse.*) No changes are contemplated in the list of subjects of examination or the limits of age for clerkships in the second division.

Apprentices at Royal Dockyards.

MR. OWEN PHILIPPS: To ask the Secretary to the Admiralty what is the number of apprentices entered during the years 1906, 1907, and 1908, in each of the royal dockyards, showing the percentage in each year to the average number of men employed in each dockyard.

(*Answered by Mr. McKenna.*)—

——	(*a*) Number of apprentices entered.	(*b*) Average number of men employed.	Percentage of (*a*) to (*b*).
Portsmouth: 1906 - - - -	52	8,597	·60
1907 - - - -	56	9,126	·61
1908 - - - -	72	9,854	·73
Devonport: 1906 - - - -	41	7,488	·55
1907 - - - -	52	7,888	·66
1908 - - - -	63	8,437	·75
Chatham: 1906 - - - -	40	6,703	·60
1907 - - - -	50	7,313	·68
1908 - - - -	53	8,089	·66
Sheerness: 1906 - - - -	15	1,718	·87
1907 - - - -	18	1,780	1·01
1908 - - - -	29	1,954	1·48
Pembroke: 1906 - - - -	8	1,998	·40
1907 - - - -	11	1,980	·56
1908 - - - -	11	2,005	·55
Haulbowline: 1906 - - - -	16	600	2·67
1907 - - - -	14	635	2·20
1908 - - - -	11	675	1·63

The numbers shown in the second column (*b*) represent the average of the whole of the employees at the several yards.

Civil Service Temporary Clerks—Deductions for Absence through Sickness.

MR. DELANY (Queen's County, Ossory): To ask the Secretary to the Treasury whether he is aware that in various Government Departments in the United Kingdom there are temporary, other than boy, clerks employed, the services of whom are as indispensable as those of clerks on the establishment, and that when any of these clerks are absent from duty on account of sickness a deduction is made from their salary, a practice that is not adopted in outside commercial houses; and, in view of the fact that to many of those officials such a deduction is a great hardship, will he take steps to have this grievance removed, seeing that the present Government have already made many reforms in the conditions of employment of other civil servants.

(*Answered by Mr. Hobhouse.*) I do not see any sufficient ground for altering the rule under which only three-quarters pay is allowed to temporary employees. The rule is, I believe, more generous than the practice which generally obtains in private employment for temporary clerks.

Old-Age Pensions Regulations.

MR. NIELD (Middlesex, Ealing): To ask the President of the Local Government Board whether he is aware that cases of hardship have arisen to applicants for an old-age pension being refused owing to their having resided for a short period in a British Colony during the twenty years preceding their application, though they are otherwise able to comply with all the requirements of the Act and the Departmental regulations; and whether he is prepared to take or advise the taking of steps to amend the law so as to permit such applicants to receive the pension.

(*Answered by Mr. John Burns.*) The Old-Age Pensions Act requires as a condition of receiving a pension that the claimant shall have resided for twenty years in the United Kingdom up to the date of the receipt of any sum on account of the pension. I will take note of the point raised in the Question, but I cannot promise any amendment of the Act with regard to it.

Trustee Savings Banks and Life Insurance.

MR. HENNIKER HEATON: To ask Mr. Chancellor of the Exchequer whether, having regard to the want of success attending the efforts of the Post Office to popularise the Government system of life insurances, he will consider the advisability of authorising the trustee savings banks of the United Kingdom to grant insurances; and whether any fresh legislation would be necessary in such an event.

(*Answered by Mr. Lloyd-George.*) The question of granting life insurances through the trustee savings banks has been under consideration from time to time, but it appears to be undersirable to exercise this power except through a Government Department. No fresh legislation would be necessary.

Duty on Coffee Essences.

MR. BRANCH (Middlesex, Enfield): To ask Mr. Chancellor of the Exchequer hether his attention has been called to the sale of mixtures of coffee and chicory with other ingredients in liquid form, under the name of coffee essences, and thus evading the duty of excise leviable on the same ingredients when sold in dry condition; and will he consider what steps should be taken to prevent the loss to the revenue arising from this evasion.

(*Answered by Mr. Lloyd-George.*) I will consider my hon. friend's suggestion.

Recruiting of Staff for Estate Duty Office.

MR. SEAVERNS (Lambeth, Brixton): To ask Mr. Chancellor of the Exchequer whether a loss of £30 per annum will be occasioned to the State by the transfer of each second division clerk now performing first division duties in the Estate Duty Office to a vacancy in another office and his replacement by a new entrant from the first division examination at £100 per annum, as compared with the promotion of the experienced second division clerk to a first division clerkship in the Estate Duty Office without loss of salary and the introduction to the other office of a new entrant from the second division examination at £70 per annum; and, if so, on what grounds is he prepared to incur this additional expenditure and at the same time sacrifice the experience of the transferred clerk.

(*Answered by Mr. Lloyd-George.*) It is no doubt somewhat more expensive to recruit the Estate Duty Office from the first division examination than it would be to promote the existing second division clerks; but it is hoped that the new method of recruitment will increase the efficiency of the office, and I am not prepared to alter it.

Women Clerks at the Treasury.

MR. COOPER: To ask Mr. Chancellor of the Exchequer whether any, and, if any, how many, women are first or second division clerks in his Department.

(*Answered by Mr. Lloyd-George.*) No women are first or second division clerks in the Treasury.

Inspection of Estates at Cahertubber, Ballydavid.

MR. DUFFY (Galway, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the date of inspection of the estate of Mrs. Rodney and others situated at Cahertubber, Ballydavid, and including a portion of the town of Athenry; whether repeated application has been made by the solicitors for the owners for the schedule showing the amount of each tenant's purchase money, and that such schedules cannot be produced on the grounds that they are still in the custody of the inspector; whether recently the agent on this property held an office for the collection of rents of the tenants who refused to pay; and, as proceedings for the recovery of this rent are being commenced, will the amount of the purchase moneys be sent to the solicitors, so that the interest payable by each tenant may be calculated and collected in lieu of rent, in order to prevent legal proceedings and secure the peace of the district.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that a preliminary inspection of this estate was made in September, 1907, at the request of the owner, who instituted proceedings for sale in May last. The formal proposal of the Commissioners cannot issue until title is proved, and it is not their usual practice to furnish particulars of the prices in anticipation of their proposal. They will, however furnish such particulars in this case, having regard to the circumstances mentioned in the Question.

Clergy and Inspection of Irish Estates.

MR. CHARLES CRAIG (Antrim, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the inspector of the Estates Commissioners who was sent down to divide the Anketel Grove estate, in County Monaghan, was accompanied during the greater part of his inspection of the estate by the local parish priest; and why, in view of the fact that the population of the district is composed very largely of Protestants and that many of these had claims on the farms at least equal to those of the Roman Catholics, a Protestant clergyman, or some person who would represent the claims of the Protestant community, was not asked by the inspector to accompany him.

(*Answered by Mr. Birrell.*) The Estates Commissioners do not know whether their inspector was accompanied by any clergyman when on these lands. In alloting untenanted land the Commissioners have no regard to the religious beliefs of the applicants.

Purchase of Estate of Mrs. Patrick Cassidy.

MR. CHARLES CRAIG: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Congested Districts Board have failed to complete the purchase agreement with Mrs. Patrick Cassidy, of Coolnaha, on the Dillon estate, in County Mayo; whether a Memorial, signed by a large number of Mrs. Cassidy's neighbours, calling on the Board to complete the purchase, has been forwarded to the Board; and whether he will insist on the Board doing its duty in this matter without further delay.

(*Answered by Mr. Birrell.*) The Congested Districts Board have decided to take up a portion of Mrs. Cassidy's holding for the purpose of enlarging a small holding of one of her sub-tenants, and proceedings for resumption are pending. When the Board have obtained possession and have rearranged the holdings they will proceed with the sale. The Board have received the Memorial referred to, but see no reason to alter their decision.

Continuance of Police Hut at Ballyscullion.

MR. CHARLES CRAIG: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the former prevalence of illicit distilling in the neighbourhood of Lough Beg, near Toome, County Antrim, and in view of the services rendered by the police in the hut or barrack at Ballyscullion in preventing it, and in view of the opinions held by the most respectable inhabitants of the district that the police hut ought to be retained, he will see that this hut is not interfered with.

(*Answered by Mr. Birrell.*) There is no intention of discontinuing the police station at Ballyscullion at present.

Delay in Division of the Bingham Estate.

MR. CONOR O'KELLY (Mayo, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the cause of the delay in dividing the grass lands and improving and enlarging the small holdings of the tenants on the Bingham property, situate at Cloonacastle, near Ballinrobe, County Mayo, purchased by the Congested Districts Board in 1906; and whether, in view of the need of enlarging the small holdings in the townlands of Cregduff, Cloonacarneen, Drumhill, and Cloonacastle, he will urge the Board to proceed with that work without delay.

(*Answered by Mr. Birrell.*) The Congested Districts Board have not as yet been able to secure possession of any part of the grass land referred to, which consists of four large farms, one held under a yearly tenancy and the other three under lease.

Evicted Tenants—Application of Representative of late Mrs. Brennan.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application for reinstatement from the representative of the late Mrs. Brennan, who was evicted in 1881 from a holding on the estate of Mr. John Henry Edge, situated at Upper Farnans, Queen's County; and can he say what course the Commissioners propose taking in this case.

(*Answered by Mr. Birrell.*) The particulars given in the Question are not sufficient to enable this application to be identified.

Application of Representatives of late Bernard Dumphy.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps the Estates Commissioners have taken in the case of the representatives of the late Bernard Dumphy, evicted in July, 1882, from a holding at Rosnaclonin, Camross, Mountrath, Queen's County, estate of Mrs. Cornealius; is he aware that the evicted farm is now, and has been ever since the eviction, on the landlord's hands; and can he say why the compulsory provisions of the Evicted Tenants' Act have not been put into operation in this case.

(*Answered by Mr. Birrell.*) The Estates Commissioners have decided not to take any action on the application for reinstatement lodged by Dumphy as the representative of a former sub-tenant of the holding in question.

Reinstatement of Evicted Tenants on the Scrahan Estate.

MR. FLYNN (Cork, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have taken any further steps towards bringing about the reinstatement of the two evicted tenants on the Morphy Scrahan estate, County Cork; and whether, in view of the fact that the planter tenant is willing to surrender these holdings on receiving some compensation, that the agent is willing to see the evicted tenants reinstated, and that the ratepayers have been saddled with the cost of four or five extra policemen in connection with these evicted holdings for over twenty years, the Commissioners will take all possible steps to expedite the reinstatement of these tenants.

(*Answered by Mr. Birrell.*) The matter is engaging the attention of the Estates Commissioners. The present occupier is not willing to surrender the holdings in question unless he is given equivalent lands in County Cork, and up to the present the Commissioners have not found it possible to do this. The three policemen in the hut at Scrahan are not extra police, but belong to the free force of the county.

Sale of the Earl of Erne's Estate.

Mr. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the Earl of Erne has sold portion of his estate to his tenants in the townlands of Knockninny and Glenawley under the 1903 Act; does this include his entire estate; and, if not, will the fact be carefully borne in mind by the Estates Commissioners when this estate is mature for inspection.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the Earl of Erne has instituted proceedings for the sale to his tenants of certain lands, including those mentioned in the Question. The Commissioners are not at present in a position to say whether the entire estate is included in the proposed sale.

Land Purchased by Alexander and James Boyle.

Mr. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what quantity of land Mr. Alexander Boyle and his son, Mr. James Boyle, of Aghmacart, Queen's County, have purchased under the various Land Purchase Acts; and what was the total amount of the advance made to those purchasers for farms purchased in Queen's County and County Tipperary.

(*Answered by Mr. Birrell.*) Advances amounting to £3,000 were made to Alexander Boyle under the Land Purchase Acts prior to 1903 for the purchase of 197 acres in the counties mentioned. No advances have been made to him under the Act of 1903, and no advances have been made to James Boyle under any of the Land Purchase Acts.

Purchase of Farm of James Brett, at Tannerhill.

Mr. FFRENCH (Wexford, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the negotiations for the purchase of James Brett's farm, Tannerhill, from Captain Walker, with a view to restore the evicted tenant, has been successful; and, if not, will the Estates Commissioners take up the farm compulsorily and sell it to the evicted tenant.

(*Answered by Mr. Birrell.*) No purchase agreement in respect of this farm has as yet been lodged with the Estates Commissioners, but the estate is pending for sale and will shortly be inspected, when the matter will be further inquired into.

Retrospective Payment of Old-Age Pensions.

Mr. McHUGH (Sligo, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in the case of a claimant for an old-age pension who has lodged his claim and who would be entitled to a pension on 1st January next, if his claim dealt were with before that date, the claimant will be entitled to receive the pension retrospectively from 1st January to the date on which his claim shall have been dealt with and admitted.

(*Answered by Mr. Hobhouse.*) The answer is in the negative, since under Section 5 (2) of the Act the pension does not commence to accrue until the first Friday after the claim has been allowed.

Fishing Harbour on the Donegal Coast.

Mr. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the recent disaster of fishing boats in Sheephaven, County Donegal, following on a somewhat similar occurrence about twelve months ago; and whether, in view of the importance of the herring fishery to the County Donegal, steps will be taken to create a more secure harbour for fishing boats on this part of the coast.

(*Answered by Mr. Birrell.*) My attention has been called to the loss of the boats and gear in Sheephaven during the past two years, and the matter has been fully considered by the Congested Districts Board. I am informed that a work providing reasonable shelter for the fishing fleet in such an exposed bay would cost something like £40,000. The Congested Districts Board have no funds for a work of such magnitude, and I cannot hold out any hope that the money can be provided from other sources.

QUESTIONS IN THE HOUSE.

Naval Store Department.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether in the Naval Store Department promotion to the position of foreman of store-houses is no longer to be by the hitherto recognised method of examination; and if so, what is the reason for the change, and the method of promotion it is proposed to adopt in the future.

THE FIRST LORD OF THE ADMIRALTY (Mr. McKENNA, Monmouthshire, N.): The Answer to the first part of the Question is in the affirmative. As regards the second part of the Question, promotion to the grade of foreman of storehouses will in future be by selection. All candidates for entry as storehousemen will be required to pass an examination which will prove their fitness, as regards educational and technical subjects, for advancement to higher posts in the store-house staff. An inspector of store-houses on advancement to the higher rank of foreman is expected to have, not so much higher literary or technical attainments, as proved capacity for handling men. The examination system has not been invariably successful in bringing out the men best qualified for promotion.

Dockyard Employees and Territorial Camps.

MR. MILDMAY (Devonshire, Totnes): I beg to ask the First Lord of the Admiralty whether, with regard to the question recently under consideration of empowering His Majesty's dockyard authorities to make to employees who have attended recent camps as members of the Territorial Army such residual payments in respect of the time spent in camp as will provide that they will not suffer loss through their action, he will be able to announce a decision before the prorogation of Parliament.

MR. McKENNA: It has been decided that the men who attended camp during the current year shall receive the difference between their civil and military pay, in accordance with the Treasury Circular. This decision relates only to the current year, and the policy for future years is under consideration.

Admiralty and the Coastguard.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the First Lord of the Admiralty whether the further Report of the Inter-Departmental Committee on the Coastguard has been now presented to the Admiralty; and whether he will undertake that, before the House of Commons is asked to pronounce upon the wisdom of the policy of the Admiralty in regard to the Coastguard, the Report of the Committee shall be presented to the House.

MR. McKENNA: I cannot add anything to the Answer I have already given on this subject to the hon. Member for the Holborn Division of Finsbury.

Cost of the Special Reservist.

MR. ARTHUR LEE (Hampshire, Fareham): I beg to ask the Secretary of State for War whether his official estimate of £27 19s. 6d. as the total cost to the country of a Special Reservist from the date of enlistment to the end of his six months' training includes the expenses of permanent and instructional staff, and of barrack accommodation or other housing; and will he further state what items of cost his estimate does include.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The estimate of £27 19s. 6d. includes barrack accommodation, clothing, pay, bounty, messing allowance, provisions, equipment, arms, ammunition, and charges for travelling, fuel and light, enlistment expenses, barrack stores and all other expenditure which can be regarded as personal to the man. It does not include any portion of the cost of the establishment of Regular soldiers assigned to a Special Reserve battalion.

MR. ARTHUR LEE: I beg to ask the Secretary of State for War what is the estimated total inclusive cost, per man per annum, of that portion of the Special Reserve which has concluded its preliminary training of six months, but which is still liable to be called up for service.

MR. HALDANE: The average cost of an Infantry private of the Special Reserve after his recruit year is about £9 a year.

Cost of National Defence.

MR. ARTHUR LEE: I beg to ask the Secretary of State for War what is the basis of the official estimate, given by the Secretary of State for the Colonies on behalf of the Government, that to increase the number of men annually trained in the manner in which the Special Reserve is trained, to a figure which would ultimately produce a total of 1,000,000 men thus trained and still available for service, would entail an addition of £20,000,000 to the Army Estimates.

MR. HALDANE: This rough estimate was based on the estimated normal annual cost per head of the present Special Reserve.

MR. ARTHUR LEE asked whether to train 150,000 men annually for this cost per head would not produce a total of £4,250,000, not £20,000,000.

MR. HALDANE was understood to reply that, worked out on the basis of the Special Reserve, the cost would be over £20 per head, which would give £20,000,000 for 1,000,000 men.

MR. ARTHUR LEE: But I ask the right hon. Gentleman not what it would cost to train 1,000,000 men every year but sufficient men to produce 1,000,000 men eventually for service.

MR. HALDANE: It is to that figure I have addressed my Answer. To keep going 1,000,000 men in the country it would cost on an average over £20 per man a year.

MR. ARTHUR LEE: May I ask why it should cost £20 a year to train a man—one of a million—and only £9 a year to train a man for the Special Reserve?

MR. HALDANE: The hon. and gallant Member has quite misunderstood my Answer. I said it cost nearly £28 for the initial training of the Special Reserve; it cost £9 thereafter; If you take into account wastage, the cost works out at something over £20 a year for the average Special Reservist, counting together those who are under training and those who are in the Reserve. With 1,000,000 men you would soon have to provide additional barrack accommodation.

Small Arms Committee.

MR. PIKE PEASE (Darlington): I beg to ask the Secretary of State for War if he will state what are the powers of the Small Arms Committee with regard to improvements in small arms or ammunition.

MR. HALDANE: The Small Arms Committee has no powers with regard to improvements of small arms or ammunition. It is merely an advisory Committee to consider questions referred to it and to report what is recommended. Expenditure of money cannot be incurred by it without authority.

The King's Regiment.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Secretary of State for War whether Captain V. C. Gauntlett, who has been recently brought into the King's Regiment, is junior in original date of commission to no fewer that six subalterns of the regiment and has seen no active service, whereas many of the officers over whose heads this gentleman has been placed have had experience in the field; whether Major Carter has been brought into this regiment from the Lancashire Fusiliers to be supernumerary, thus blocking the expected promotion of the senior captains and also indirectly that of the subalterns; whether, regard being had to the fact that with one exception, that of the adjutant, no subaltern of this regiment has been promoted since the disbandment of two battalions in 1901, when an undertaking was given by Mr. Brodrick, the War Secretary of the day, that no injustice would be done to the junior ranks of this regiment whose senior first lieutenant has a service of ten years, what is the explanation for the further blocking of the promotion in this regiment, which has been exceptionally slow, by the bringing of officers from other regiments into it; and whether, having regard to the feeling of disappointment produced by this action of the War Office, what steps, if any, will be taken to rectify it.

MR. HALDANE: The first-named officer is junior in original date of commission to the five senior lieutenants of the Liverpool Regiment, but he is nearly six years older than the senior subaltern. Consequently his eventual superannuation will cause him not to affect adversely the prospects of those junior to him. He has seen no active service, but age and seniority, and not active service, have been taken into consideration in placing transferred officers in their new regiment. The second-named officer has been brought in supernumerary to establishment; the Liverpool Regiment is not singular in this respect, other regiments having been similarly treated. As regards the other points raised in the Question I have nothing to add to the reply which I gave to a similar Question on this regiment put by the hon. and learned Member on 23rd November.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware of the great discontent among the officers of the regiment at having unknown men of junior standing placed over their heads?

MR. HALDANE: There is always discontent in cases like this, but we have acted in the general interest.

Military Piquets at Aldershot.

MR. H. C. LEA (St. Pancras, E.): I beg to ask the Secretary of State for War whether his attention has been drawn to the recent action of the general commanding at Aldershot abolishing military piquets and appealing to the honour of the soldier to insure good behaviour on the part of all ranks of the garrison when outside barracks; whether this innovation on the part of General Smith-Dorrien has been attended with successful results; if so, can he see his way to issue orders to the other generals commanding to adopt a similar rule; and whether he will consider the advisability of appointing a Departmental Committee to inquire into the necessity of retaining the military foot and mounted police as an integral part of the military forces of the Crown, having in view the diminution of all categories of offences amongst soldiers, more especially that of drunkenness, during the last ten years.

MR. HALDANE: I have already explained to the House that the regulation as regards the patrolling of the streets of garrison towns is permissive, that the practice is not universal, and that the question as to the necessity or otherwise of employing men on this duty should be left to the discretion of the General Officers Commanding-in-Chief. As regards the military police, my hon. friend has evidently forgotten that the preservation of good order among soldiers is but a minor part of their duties, and that the Provost Establishment of a Field Army can only be formed from such a body. The suggestion, therefore, of their abolition is quite impracticable.

Army Ordnance Department Writers.

MR. PIKE PEASE: I beg to ask the Financial Secretary to the War Office whether he has yet concluded his inquiry into the rates of pay granted to writers of the Army Ordnance Department at out-stations; if so, whether, in the event of it being contemplated to make any improvements in the existing scale, he will direct that such changes shall take effect from 1st April, 1907, thereby putting these clerks on an equality with similar employees of the Admiralty who received a general rise of pay from that date; and, if the inquiry has not yet been concluded, will he say when it is likely to be.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. ACLAND, Yorkshire, Richmond): Yes, Sir. It has been decided to improve the rates of pay granted to writers of the Army Ordnance Department at out-stations, to take effect from 1st April, 1909. A circular letter notifying the new rates will shortly be distributed.

Marriages with Indians.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether his attention has been drawn to a matrimonial dispute between a native of India, who is a member of the Indian Civil Service, and his English wife; and whether any and, if so, what steps can be taken to warn English women of the risk they run in marrying natives of India, and who are not by such marriage in Britain debarred from marrying other wives in India.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, W.): The case to which I understand the hon. Member to refer has been reported in the newspapers, and the Secretary of State does not think any exceptional action of the kind suggested is called for.

*MR. REES: Does the right hon. Gentleman not think that something should be done for the protection of English women in this behalf?

MR. BUCHANAN: Sufficient publicity has already been given to the danger they incur.

*MR. MACKARNESS (Berkshire, Newbury): Is not this the first case of the kind that has occurred in our Courts, and is there any ground for the general reflection upon Indians contained in the Question?

MR. BUCHANAN: I do not know.

*MR. REES: Is the right hon. Gentleman aware that several cases have occurred, though they do not come into Court?

[No Answer was returned.]

Bombay Opium Shipments.

MR. BELLOC (Salford, S.): I beg to ask the Under-Secretary of State for India whether he can give the amount of opium shipped from Bombay during the year 1906, the names of the six largest shippers of the same, and the respective amount shipped by each of these.

MR. BUCHANAN: The Secretary of State will ask the Government of Bombay if they can supply the information which the hon. Member requires.

MR. BELLOC: Shall I get the Answer in January?

MR. BUCHANAN: I am writing out for the information, and hope to get an early reply.

MR. SWIFT MACNEILL: In the Ides of March?

Trial by Jury in India.

MR. MACKARNESS: I beg to ask the Under-Secretary of State for India whether a new penal law has been passed by the Government of India abolishing, for those accused under it, the right of trial by jury and depriving them of the right to bail as long as there is reasonable ground for inquiring into the charges against them, and making evidence against them the depositions of witnesses who may be prevented by death or absence from giving oral testimony at the trial; whether the same law makes highly criminal the mere membership of certain associations without any specific crime having to be proved against the individual; and, if so, whether he will state the precise offences against which this law is directed and whether there is any precedent for such an enactment.

MR. HERBERT (Buckinghamshire, Wycombe): I beg also to ask the Under-Secretary of State for India whether the Bill for the trial of prisoners accused of sedition in India provides that the prisoner is in no case to be allowed bail; whether there is any, and, if so, what, reason to distrust the proper action of the Courts in India by depriving them of the discretion as to granting bail; does the Bill also provide that the depositions taken at a preliminary inquiry of witnesses who have died before the trial are to be admissible in evidence if against the prisoner but not if in his favour; will he state whether this Bill requires, or has received, the assent of the Secretary of State for India; and will the Government take all necessary steps to secure that under exceptional legislation of this kind prisoners are guaranteed a trial at least as consonant with the principles of justice as they would be entitled to if they were tried under martial law.

MR. BUCHANAN: The Bill was passed at a meeting of the Governor-General's Legislative Council on Friday last. The Secretary of State had already sanctioned its introduction. All Acts of the Legislative Council become law at once, but are subject to disallowance by the Crown on the advice of the Secretary of State. It will at once be laid upon the Table of the House. Meanwhile, perhaps hon. Members will excuse me from giving an Answer to their questions in detail. The Act deals with murderous outrages and kindred offences, and not with sedition.

Martial Law in Natal.

MR. BELLOC: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the petition of Mr. Colenso charging the Governor of Natal and two other persons with specific oppressions and abuses, under cover of martial law, since the date of Dinizulu's arrest; and whether the Secretary of State proposes to hold any, and, if any, what, investigation into these charges before advising His Majesty to allow the last Natal Indemnity Act.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): Yes, Sir, the Secretary of State has seen the petition referred to. It is not possible for him to hold an inquiry, but the Natal Government has promised to hold an inquiry into the allegations of flogging made by Miss Colenso. Ministers have not felt themselves able, up to the present, to deal with these allegations, but the Secretary of State is still in communication with the Governor regarding them. I would add that the Secretary of State cannot admit the justice of the reflection on Sir Matthew Nathan made in the petition referred to.

MR. KEIR HARDIE (Merthyr Tydvil): Will the Government be represented at the inquiry?

COLONEL SEELY: No, that would be quite irregular; but the inquiry will no doubt shortly be held.

MR. MACKARNESS: Was not this matter brought under the notice of the Natal Government so long ago as August last?

COLONEL SEELY: It was a long time ago.

British Guiana.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the fact that the Governor of British Guiana did, by his casting vote against the almost unanimous objection of the elected members of the combined Court of the Colony, decide, on 3rd November last, on the abolition of the office of medical inspector of estates' hospitals; whether the salary of that office, which was instituted for the protection of Indian immigrants indentured for service on sugar plantations, is secured by the law of the Colony; whether the Government of India has been consulted and has agreed to the abolition of this office; and whether the Secretary of State proposes to take any action in the matter.

COLONEL SEELY: The facts stated in the first part of my hon. friend's Question are generally correct, and the action of the Governor was in accordance with the law, which expressly provides that he shall have both an original and a casting vote, but I may explain that if, as is proposed, the separate office of medical inspector is abolished, arrangements will be made for the efficient discharge of the duties hitherto attached to it, experience having shown that they are not sufficient to occupy the whole time of one officer. It has not in the circumstances been considered necessary to consult the Government of India. The law of the Colony imposes no obligation to appoint a separate officer for the sole purpose of medical inspection, although it empowers the Governor to appoint such an officer at a salary not exceeding £1,000 per annum. At the Governor's instance, the whole matter has been deferred for the present, pending further discussion in the combined Court.

SIR H. COTTON: Was not the sole object of this appointment the protection of British Indians at Demerara, and does the right hon. Gentleman realise the supreme importance that that protection should be adequately maintained?

COLONEL SEELY: We are fully cognisant of that, and it has not been lost sight of in the Colony; indeed, it is stated that the change will not reduce the amount of supervision.

Political Crisis in Victoria.

CAPTAIN ARTHUR MURRAY (Kincardineshire): I beg to ask the Under-Secretary of State for the Colonies whether he has received any official information in connection with the recent political crisis in Victoria; and, if so, whether he can give the House any information on this matter.

COLONEL SEELY: The Government of Victoria were defeated in the Legislative Assembly on 3rd December on a Resolution of no confidence, and the Governor, in the exercise of his discretion, after consulting his Ministers, and after the fullest consideration of all the circumstances, decided to grant a dissolution. My attention has been directed to a newspaper paragraph which intimates that there is local dissatisfaction with the action of the Governor. I have not heard of anything of the kind, and it may not be unfair to surmise that in the paragraph there is confusion as to the political and party issues involved as distinct from the constitutional position of the Governor.

MR. SWIFT MACNEILL: Did not the objectionable paragraph referred to appear in the columns of the veracious *Times*?

[No Answer was returned.]

Plague in Liverpool—Spanish Quarantine for Vessels.

MR. McARTHUR (Liverpool, Kirkdale): I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the periods for which vessels arriving in Spain from Liverpool have been detained in quarantine on account of recent cases of plague in Liverpool; whether he is aware that the detention has amounted to as much as twenty days, although the International Sanitary Convention of 1903 (to which all European countries, except Spain, Greece, and Norway, were parties) decided that a period of five days quarantine, computed from the date of isolation of the last-known case of plague at the infected port, was sufficient; and whether he will make representations to the Government of Spain with a view of bringing the usage of that country into accord with that prevailing in other European countries, so as to minimise the loss and inconvenience to which British shipowners and merchants are subjected.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. McKINNON WOOD, Glasgow, St. Rollox): The Answer to the first part of the Question is in the affirmative. I am not aware that detention in quarantine in Spanish ports has amounted to as much as twenty days. Twelve days was the period fixed in the first instance by the Spanish Sanitary Regulations; but representations were made by His Majesty's Ambassador at Madrid, and subsequently the Spanish Government gave free pratique to healthy vessels arriving from Liverpool, subject to certain reservations in accordance with the Venice Sanitary Convention, to which Spain is a party. His Majesty's Government recognise the importance of securing uniformity and a common standard of regulations, as provided by the Paris Convention, and will do all in their power to facilitate its general application.

Lado Enclave—Alleged Lawlessness.

MR. FELL (Great Yarmouth): I beg to ask the Secretary of State for Foreign Affairs if he has now received any information from Brussels or elsewhere respecting the alleged state of affairs in the Lado enclave, the lawlessness that is said to prevail there, and the waste that is being committed in that territory.

MR. MCKINNON WOOD: We have not yet received any information on the matter. We have already instructed the authorities in the Soudan to inquire as to the facts.

MR. FELL asked as to telegrams received from Khartoum and the Soudan.

MR. MCKINNON WOOD: If the hon. Member will supply me with the information on which he appears to have based his Question, I will make further inquiry.

Ivory Shipments from the Lado Enclave.

MR. FELL: I beg to ask the Secretary of State for Foreign Affairs if he has any official information showing that a cargo of ivory of the value of £7,000 has been shipped from the Lado Enclave down the Nile through the Soudan; and, if so, will he consider the possibility of placing an embargo on further shipments, which appear to be in direct contravention of the intenational game convention.

MR. MCKINNON WOOD: We have received no official information confirming the report mentioned. His Majesty's Agent and Consul-General at Cairo has been instructed to recommend the Soudanese authorities to take any steps that may be within their power to prevent the destruction of elephants in the Lado Enclave, if the reports to that effect which have appeared in the public Press can be verified.

Pension Officers and Statements of Age.

MR. FELL: I beg to ask Mr. Chancellor of the Exchequer why the Census Returns of 1901 are not placed at the disposal of the pension officers for the purpose of assisting them to test by the readiest and most unprejudiced evidence the statements of age made by applicants; and why the Census Returns should not be accepted until disproved by birth certificates or other undoubted evidence.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): A pledge was given by the Government upon the schedules sent out in connection with the Census of 1901 that the information supplied would be treated as confidential and would not be used for purposes other than those of the Census. It would accordingly be impossible to make use of the Returns of that Census in the manner suggested.

Old-Age Pension Qualifications.

MR. FLYNN (Cork, N.): I beg to ask Mr. Chancellor of the Exchequer if, with a view to the guidance of district sub-committees in Ireland, he will state whether, in the case of a husband and wife living apart, one of whom was in receipt of outdoor relief, the other, who neither sought for nor gained anything from said relief, is disqualified from obtaining a pension grant if otherwise eligible.

MR. LLOYD-GEORGE: I am advised that poor relief given to a wife in all cases disqualifies the husband. In the circumstances mentioned in the Question the wife would not be disqualified by poor relief given to the husband.

Workhouse Medical Relief and Old-Age Pensions.

MR. FLYNN: I beg to ask Mr. Chancellor of the Exchequer, in view of the difficulty experienced by sub-committees in Ireland under the Old-Age Pensions Act, if he will state whether a person who, under medical advice and because of illness, goes to the workhouse infirmary, now generally termed district hospital, and stays there some time to avail of proper medical treatment but is unable to pay for it, is disqualified from receiving a pension if otherwise eligible.

MR. LLOYD-GEORGE: The point raised in the Question was dealt with in my reply to a Question by the hon. Member for Kilkenny on the 9th instant, to which I do not think I can usefully add anything.

Spirit Duty Export Allowances.

SIR G. KEKEWICH (Exeter): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that nearly all the allowances on the export of British spirits do not now go into the pockets of the distillers, but into those of exporters, who are blenders and often shipping or forwarding agents; and whether, seeing that the revenue officers, in their supervision of spirits in bond, do in the course of racking, blending, bottling, and other numerous operations which are constantly going on, a great deal of work which traders would otherwise have to do and pay for themselves, he will consider the advisability of withdrawing these allowances.

MR. LLOYD-GEORGE: As at present advised, I am not prepared to propose an alteration of the law on the subject.

Old-Age Pensions Regulations.

MR. JOYCE (Limerick): I beg to ask Mr. Chancellor of the Exchequer whether a person who would be eligible for an old-age pension by reason of age on 1st January, 1910, would become ineligible if such person during the year 1909 received outdoor relief, no matter how small the amount; and whether, if such is the case, and that old people must run the risk of starvation under such circumstances, he will propose some alteration of the law to prevent the hardship and suffering that must ensue in such cases.

MR. LLOYD-GEORGE: The Answer to the first Question is in the affirmative. The prospect of obtaining an old-age pension will, no doubt, prove an additional incentive to people to submit to privation rather than to apply for poor relief, but as the latter alternative (under which they will, even for the period to 31st December, 1910, be in no worse position than if the Act had not been passed) is still open to them, there is no necessary increase in the risk of starvation. The whole question of the disqualification on account of poor relief is receiving the careful consideration of the Government, but I am not yet in a position to add anything to the statements made by my right hon. friend the Prime Minister and myself when the Bill was before the House.

MR. JOYCE suggested that Irish boards of guardians should be asked to warn poor people of this result of getting relief.

Penal Servitude Sentences.

MR. BELLOC: I beg to ask the Secretary of State for the Home Department if he will state the absolute increase or decrease in the number of men condemned to penal servitude for the third time at least in 1907 as compared with the similar number for 1887; and also the proportionate increase or decrease compared with the total of sentences to penal servitude in those years.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I am afraid that the precise figures desired by my hon. friend are not available, and could only be obtained, if at all, by a very long and laborious research; but if he will refer to Table 36 in the Annual Volume of Criminal Statistics he will find a quantity of information with regard to the previous convictions of prisoners.

Metropolitan Police.

MR. REMNANT (Finsbury, Holborn): I beg to ask the Secretary of State for the Home Department whether, in view of the fact that the Metropolitan Police force is undermanned for the great increase of duties recently thrown upon it, thereby subjecting the force to an undue physical strain, he would be prepared, if so desired by the Metropolitan Borough Councils, to advise Parliament to grant such an increase in the Metropolitan Police rate as would provide an addition to the number of the men sufficient to cope with the situation.

MR. GLADSTONE: There has for some years been a rapid growth in the charge for Metropolitan Police pensions, and it is now so heavy that for the past two years it has not been possible to make the normal increase in the number of Metropolitan Police to keep pace with the growth of population. The question of increasing the police rate is likely, therefore, to arise soon, and any expression of opinion by the Metropolitan Borough Councils would have weight with me in this matter.

Deer Hunting.

Mr. G. GREENWOOD (Peterborough): I beg to ask the Secretary of State for the Home Department whether his attention has been called to an incident which occurred on 3rd November last near Uckfield, when a carted deer hunted by the Surrey staghounds, being dead-beat, and with one of its forelegs hanging from the fetlock, broken in an attempt to jump a fence, was worried by the hounds while vainly trying to limp away until the huntsman came up and killed it with a knife; whether he is aware that on 6th November last another carted deer, hunted by the Berks and Bucks staghounds, broke its neck in the course of the run in leaping into a lane; and whether, in view of the fact that such incidents are of frequent occurrence, and are inevitable when the sport is pursued under such conditions as prevail in the home counties, he will consider the desirability of so amending the Acts for the Prevention of Cruelty to Animals that such cases may be brought within their operation.

Mr. GLADSTONE: My attention was not drawn to these particular incidents. I have stated before, in answer to a Question, that I think the hunting of carted deer is open to strong objection, but I regret I am not in a position to make any promise of legislation.

Mr. BYLES (Salford, N.): Is not the right hon. Gentleman aware that there is a private Member's Bill before the House which the Government could, by consent, press through?

Mr. GLADSTONE: Yes, I am quite aware of that, and the Bill can be brought in again next session.

Dove Quarter Sessions Case.

Mr. BELLOC: I beg to ask the Secretary of State for the Home Department whether he can now give the result of his inquiry into the case of Barber, and of the sentence he received at the Dove Quarter Sessions in Herefordshire.

Mr. GLADSTONE: The case presents features of difficulty, and I am not yet able to add anything to the reply which I gave the hon. Member on 1st December. I hope to let him know my decision very shortly.

Mr. BELLOC: Will it be before the end of the present session?

Mr. GLADSTONE: Yes, Sir.

Police and Public Meetings.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.): I beg to ask the Secretary of State for the Home Department whether the Government will appoint a Commission or Committee to consider the difference of police procedure in different parts of the country in regard to the preservation of order in public meetings, and to report whether any general and uniform practice could be established throughout the country; and whether any fresh legislation is required to protect the right of public meeting and free speech.

Mr. GLADSTONE: I propose, as soon as I can, to appoint a small Departmental Committee to consider this subject.

Imprisonment under Separation Orders.

Mr. BELLOC: I beg to ask the Secretary of State for the Home Department how many men were imprisoned in Brixton prison during the year 1906 for failure to pay the full amount due from them under a separation order; what has been the average length of such imprisonment; what was the average amount due when the imprisonment began; and what was the largest due in any one particular case when the imprisonment began.

Mr. GLADSTONE: The Answer to the first part of the Question is 286; to the second, twenty-eight days; to the third, £7 19s.; and to the fourth,

£217 13s. 6d. Prisoners of this class were not received at Brixton prison prior to 1st June, 1908.

Imprisoned Suffragists.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for the Home Department what is the number of women enduring imprisonment at the present time owing to circumstances arising out of the Suffragist agitation, and of the imprisoned women how many are suffering imprisonment by a sentence passed by a Judge on conviction after a trial by jury; what is the period of the imprisonment and in what division, how many under sentences inflicted by magistrates, and for what terms and in what divisions have they been placed, and how many for failure to give securities to be of good behaviour although they have been convicted of no offence, and the sentence of imprisonment from which there is no appeal is regarded by law as no punishment; and whether, having regard to the circumstances and the fact that these ladies have not been guilty of any offence savouring of moral degradation, he will consider the desirability of advising the Crown to exercise its prerogative for their release in order to enable them to spend Christmastide in their homes instead of in a prison.

MR. GLADSTONE: Three ladies are at present imprisoned. They were sentenced by a Metropolitan magistrate, two to three months, and one to ten weeks imprisonment, in default of finding sureties to be of good behaviour. They are being treated under the rules for second division prisoners. As regards the last part of the Question, I must ask my hon. friend to excuse me from making any statement at the present time.

MR. SWIFT MACNEILL: Is not the treatment accorded to these ladies slightly different from that accorded to Dr. Jameson, C.B., and his confederates?

MR. LONSDALE (Armagh, Mid): Are not these ladies treated with far greater severity than the cattle-drivers in Ireland?

[No Answer was returned.]

Blaenau Festiniog Quarry Accident.

MR. OSMOND WILLIAMS (Merionethshire): I beg to ask the Secretary of State for the Home Department if he can give the number of men employed at the Oakeley quarries and the Votley and Bowydd Quarry, Blaenau Festiniog, during 1907; how many of these men were employed underground and above the surface, respectively, in each quarry; what were the number of accidents reported during that period, distinguishing those to men employed underground and outside in each quarry respectively.

MR. GLADSTONE: At the Oakeley Quarries 906 persons were employed in 1907; 357 underground, and 549 above ground. The number of accidents was ten; six underground, and four above the surface. At the Votley and Bowydd Quarry, the number employed was 357; 188 underground, and 169 above ground. The number of accidents was five; four underground, and one above the surface.

MR. JOHN WARD (Stoke-on-Trent): Were any of the accidents fatal?

MR. GLADSTONE: I will inquire.

Accidents on Building Works.

MR. RAMSAY MACDONALD (Leicester): I beg to ask the Secretary of State or the Home Department whether, in view of the large number of accidents to workmen employed on buildings in course of construction and demolition, he will consider the advisability of issuing special regulations under the Factory and Workshop Act embodying the recommendations of the Departmental Committee.

MR. GLADSTONE: As I have pointed out in answer to previous Questions this session, the recommendations of the Committee cannot be carried out without further legislation, and it was for this purpose, among others, that I introduced this session the Building Operations and Engineering Works Bill. I hope to reintroduce the Bill early next session.

Religious Institution Work Places in London.

MR. RAMSAY MACDONALD: I beg to ask the Secretary of State for the Home Department whether he can give the number of work places carried on by religious institutions in London that have been added to the Home Office registers under Section 5 of the Factory and Workshop Act, 1907.

MR. GLADSTONE: The number of premises in the administrative County of London, forming part of institutions carried on for charitable or reformatory purposes, which have been added to the Home Office registers under Section 5, is sixty-four.

London Church Army Homes.

MR. RAMSAY MACDONALD: I beg to ask the Secretary of State for the Home Department whether the men employed on firewood-cutting at the Church Army Homes in the Metropolis are paid their wages partly in kind; whether deductions are made for other purposes; and, if so, whether, in view of the provisions of Section 5 of the Factory and Workshop Act, 1907, he proposes to take any steps to prevent any contravention of the law relating to truck.

MR. GLADSTONE: I understand that these men are paid piece-work rates, and that a deduction is made from their earnings to cover the cost of their board and lodging. As I have stated in answer to previous Questions on the subject, it is not at all clear that the Truck Acts apply in cases of this kind, and the further consideration of the matter must await the Report of the Truck Committee, which is expected shortly. Section 5 of the Factory Act of last session does not affect the question of the application of the Truck Acts.

Welsh Church Commission.

MR. WALTER ROCH (Pembroke): I beg to ask the Prime Minister when the Report of the Welsh Church Commission may be expected.

MR. GLADSTONE: The Chairman informs me that he expects the Draft Report will be under the consideration of the Commissioners in a few days' time.

Unemployment at West Ham.

MR. W. THORNE (West Ham, S.): I beg to ask the President of the Local Government Board whether he is aware of the lack of employment in West Ham and of the fact that turning men out of the workhouse tends to increase the evil; and whether, in view of the duty of the guardians to give employment in such cases in accordance with 43 Eliz., C. 2 and 4, and 5 Will. IV., c, 76, he will communicate with the West Ham Guardians and with the Local Government Board inspector of the district so that the law may be carried into effect.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I am aware of the circumstances connected with West Ham. It is no doubt the general duty of the Guardians to relieve cases of destitution where application is made to them for the purpose, but it does not appear to me that it is their duty under the statutes mentioned by my hon. friend to afford that relief in the particular way to which he refers.

Workhouse Relief in West Ham.

MR. W. THORNE: I beg to ask the President of the Local Government Board whether he is aware that on 24th September last, in Volume 10, Clause 6, page 427, of the House Committee's Report of the West Ham Board of Guardians, the committee passed and submitted to the next board meeting a resolution directing the clerk to instruct relieving officers to give men who were frequently in and out of the workhouse orders for the casual wards instead of house orders, and that only on the advice of the clerk was this direction withdrawn; whether he is aware that at the house committee's call-over on alternate Thursdays men are informed that the House is not the place for single men and that they must look for work, and if they remained in the House, they would be dealt with, and this notwithstanding that the men had no employment to go to and no means to maintain themselves, the following being instances: A. Sharp, who said he had nowhere to go, and T. Hammaford, who had nowhere to go, no food, and no place in which to sleep, and who asked if he was to start stealing if he went out of the house; and if the President proposes to take any action in connection with these matters.

Mr. JOHN BURNS: As regards the first part of the Question, the facts are as stated. As regards the second, I understand that, owing to the demands on the available accommodation in the workhouse for the sick, and for the old and infirm inmates, single men are informed, when they attend before the house committee of the guardians, that the workhouse is not the place for them, and that they should look for work, but no undue pressure is brought to bear upon them to leave the institution. With respect to the two cases mentioned in the Question, I am informed that Sharp is an able-bodied man, twenty-seven years of age, who was admitted to the workhouse on 20th October, partly on account of an injury to his knee. He took his discharge on 6th November last. The other case is that of an able-bodied man, twenty-three years of age, who during the present year has been admitted to and discharged from the workhouse on nine occasions, his stay in the establishment varying from six to eighteen days.

Motor Speed Limits.

Mr. CATHCART WASON (Orkney and Shetland): I beg to ask the President of the Local Government Board whether, in view of the fact that applications by local authorities to reduce the speed limit of motors to ten miles an hour are persistently opposed by motor or automobile associations, he will consider the advisability of taking steps, by legislation or otherwise, to throw the cost of inquiry upon such associations where the opposition might be held to be frivolous.

Mr. JOHN BURNS: I will consider the suggestion of my hon. friend, but it would require legislation, and I cannot promise him that I shall find myself able to adopt it.

Metropolitan Asylum Hospital Nurses' Christmas Gifts.

Mr. MYER (Lambeth, N.): I beg to ask the President of the Local Government Board whether he is aware that subscription lists are presented to the nurses in the hospitals of the Metropolitan Asylums Board, whose salaries range from £24 to £25 per annum, soliciting subscriptions for Christmas gifts to the matron and assistant matron, and day and night sisters, and also that the nurses are expected to give presents to the day and night servants, to the nurses rooms' servants and the gate porters; and whether he will communicate with the Asylums Board immediately, so that notices may be posted before the ensuing Christmas, discountenancing the system of the receipt of gifts by any of their officials.

Mr. JOHN BURNS: I have communicated with the Asylums Board with regard to this matter, and I find that inquiries with regard to it have been made by them at all their hospitals. I understand that the replies received show that in the large majority of the cases nothing of the kind mentioned in the Question takes place; but that in one instance the practice referred to appears to have prevailed, and that in two or three others there has been some such practice, though of a more limited and partial character. I am glad to say, however, that instructions were given on Saturday last to the medical superintendent in each of these cases to the effect that the practice should be discontinued forthwith.

Outdoor Relief Orders.

Mr. CROOKS (Woolwich): I beg to ask the President of the Local Government Board whether he is aware that the Order issued by him, and known as the Outdoor Relief Order, dated 14th December, 1852, to guardians of the poor that relief must not be given outdoor to able-bodied men, or their wives and children, under the Modified Workhouse Test Order, where the man is in the workhouse under this Order for more than eight weeks in any one year, will compel more than 100 families to seek shelter in the workhouse before Christmas; and whether, to avert this, he will suspend or extend the Order for a few weeks.

Mr. JOHN BURNS: My attention has been called to this matter, and on the 7th instant I informed the guardians that I was prepared to sanction a departure from the Regulations in force in the parish so as to enable the men now in the workhouse to remain there, and their wives and families to receive relief outside the workhouse, for a further short period in such cases as the guardians may recommend. In this way the point referred to in the Question will, I think, be satisfactorily met.

Motor Speed Limits.

MR. LAMBTON (Durham, S.E.): I beg to ask the President of the Local Government Board whether his attention has been called to the Resolution passed by the Council of the Central and Associated Chambers of Agriculture asking, among other things, that in all populous places and at cross-roads the speed-limit of motor cars should be reduced to ten miles an hour; and whether he will issue a circular to county and borough councils reminding them of the powers which they possess under the Act of 1903 to establish such a speed-limit with the sanction of the Local Government Board, and offering to co-operate with them in securing this partial protection against the dangers inflicted upon the public by inconsiderate drivers of motor vehicles.

MR. HAROLD COX (Preston): May I also ask the President of the Local Government Board whether his attention has been called to the Resolution passed by the Council of the Central and Associated Chambers of Agriculture asking, among other things, that in all populous places and at cross-roads the speed-limit of motor cars should be reduced to ten miles an hour; and whether he will issue a circular to county and borough councils reminding them of the powers which they possess under the Act of 1903 to establish such a speed-limit with the sanction of the Local Government Board, and offering to co-operate with them in securing this partial protection against the dangers inflicted upon the public by inconsiderate drivers of motor vehicles.

MR. JOHN BURNS: I have received a copy of a Resolution passed by the Council of the Central and Associated Chambers of Agriculture on the 9th instant, in relation to this subject, which, however, as forwarded to me, does not quite answer to the description given in the Question. I would remind the hon. Members that, in the circular which I issued in September last, I drew the attention of local authorities to their powers in this matter, and practically anticipated the suggestion now made. I will send them copies of the circular.

Harberton Mail Contractor's Loss.

MR. MILDMAY (Devonshire, Totnes): I beg to ask the Postmaster-General whether, in the case of Mr. Rouse, of Harberton, South Devon, whose horse, borrowed in an emergency by the mail contractor after an accident to draw the mails to their destination, was destroyed, he will consider the possibility of awarding compensation more commensurate with the value of the horse than the sum offered.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I am laying the facts of the case before the Treasury for their consideration.

Civil Servants and Outside Appointments.

MR. JOHN WARD (Stoke-on-Trent): I beg to ask the Postmaster-General whether Mr. J. W. Crawford, an assistant-controller in the London postal service, receives a salary of £800 per annum from the Department; whether this is the same person who acts as auditor to the Provident Clerks and General Mutual Life Assurance Association, for whose services the sum of £210 appears in the Association's balance-sheet for 1907; and, if so, whether the duties of assistant-controller are of such a character as to leave ample time for this officer properly to attend to his private practice, or does the Postmaster-General grant the assistant-controller special leave for that purpose.

MR. SYDNEY BUXTON: The facts are as stated by my hon. friend, except that the remuneration of £210 is divided among three auditors. The duties of auditor to the Association in no way interfere with Mr. Crawford's official duties, nor make demands upon his official time.

Mr. JOHN WARD: Is special leave granted to this official for this purpose?

Mr. SYDNEY BUXTON: The information I have is that his duties as auditor in no way interfere with his official duties.

Mr. JOHN WARD: Then do I understand that a controller in the London postal service has sufficient spare time to attend to the business of a society with an income of £1,500,000?

Mr. SYDNEY BUXTON: I can only repeat my Answer, that the efficient discharge of his official duties is not interfered with.

Canada and the Atlantic Cable Rates.

Sir WILLIAM HOLLAND (Yorkshire, W.R., Rotherham): I beg to ask the Postmaster-General whether he has been in communication with the Canadian Government on the question of the Atlantic cable rates, with a view to their possible reduction.

Mr. SYDNEY BUXTON: Advantage has been taken of the presence in England of Mr. Lemieux (the Postmaster-General of Canada) to discuss the question of Atlantic Cable Rates. We have arranged that representatives of the British and Canadian Governments should meet here in the spring to consider the subject.

Christmas Work at Seacombe Post Office.

Mr. RAMSAY MACDONALD: I beg to ask the Postmaster-General whether applicants for special Christmas work at Seacombe, Cheshire, have received forms stating that the pay is to be 5¼d. per hour, whereas previously it was 6d. per hour up to 21st December, and 8d. per hour from that date until the work finished.

Mr. SYDNEY BUXTON: I will inquire and let my hon. friend know.

Communication with North Ronaldshay.

Mr. CATHCART WASON: I beg to ask the Postmaster-General if he can now state, in view of the sympathetic attitude of the Board of Trade, the Congested Districts Board (Scotland), and the Northern Lighthouse Commissioners, the willingness of the people to help as far as they can, and the isolation of so many people, if he will put the island of North Ronaldshay in communication with the outside world.

Mr. SYDNEY BUXTON: I fear that I cannot at present add anything usefully to the Answer I gave my hon. friend on the 30th ultimo beyond saying that as soon as I receive the estimate of the cost which I have called for I will let him know particulars of the guarantee which will be necessary.

Taunton Postal Official's Pension.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Postmaster-General whether an ex-superintendent at the Taunton post office, who was invalided out of the service about two years ago on a pension of about £100 a year, is at present in the employment at the same office, for which he is also receiving wages; whether he has been in this employment for the past few months; and, if so, whether he will give instructions that persons wholly unemployed shall have preference for employment when the pension is of similar proportion to the above.

Mr. SYDNEY BUXTON: I will make inquiries in the matter.

Inspection of Secondary Schools.

Sir PHILIP MAGNUS (London University): I beg to ask the President of the Board of Education if he will state under what enactments, if any, the Board of Education are entitled to require the inspection by officers of the Board of secondary schools not receiving any Government grant.

The PRESIDENT of the BOARD of EDUCATION (Mr. Runciman, Dewsbury): Under Section 9 of the Charitable Trust Act, 1853, the Board of Education, as successors of the Charity Commissioners under the Act of 1899, are authorised to examine and inquire by their inspectors into educational charities in England or Wales, and the nature and objects, administration, management, and results thereof; and under that section many endowed secondary schools not receiving grants from the Board of Education have been inspected. Whether or to what extent these powers are sufficient for all the purposes of a complete educational inspection of an endowed school on lines similar to those on which the inspection of secondary schools on the grant list is conducted, is a matter of interpretation, which has not been the subject of a judicial decision, and with regard to which, as the Board have recently been made aware, a serious difference of opinion has arisen in the last few months.

Training Schools for Elementary School Teachers.

Mr. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Board of Education if he can state the number of pupils in the colleges and other centres for training teachers for elementary schools who were examined during the past year in gardening, horticultural, and rural science generally; and how many, if any, of such colleges and centres had land connected with them for the practical teaching of such subjects.

Mr. RUNCIMAN: I must refer the hon. Member to the Answer which I gave upon this subject on the 12th March last. I may say that the first examination in the new optional course in rural science was held this summer and that nine students entered for it.

Pupil Teachers' Examination Syllabus.

Mr. JESSE COLLINGS: I beg to ask the President of the Board of Education if the following are grant-earning subjects in the syllabus for candidates for pupil teacherships in elementary schools: construction of a triangle equal in area to a given polygon, construction of tangents to a circle, construction of common tangents to two circles, construction of circumscribed, inscribed, and escribed circles of a triangle; and whether, seeing the number of these pupils who will be engaged as teachers in rural and semi-rural elementary schools, he will make horticulture, nature study, the elements of agriculture, and rural science generally compulsory subjects in the syllabus.

Mr. RUNCIMAN: The Question appears to be asked under a misapprehension. The Board prescribe no syllabus for candidates for pupil teachership, nor are there any "grant-earning subjects" for them. Such candidates are as a rule taught in secondary schools or in preparatory classes attached to a pupil teacher centre, and receive a general education suitable to all pupils between the ages of 14 and 16, whatever career they may be intending to adopt. The Board share the view that such a general education may properly receive a rural bias in rural districts. The examination formerly held by the Board for candidates for pupil teacherships has now been discontinued and no syllabus for such an examination is therefore in force.

Mr. JESSE COLLINGS: Are no other subjects included?

Mr. RUNCIMAN: There are no others prescribed by the Board of Education.

Mr. JESSE COLLINGS: Cannot the subjects mentioned in the latter part of the Question be made compulsory?

Mr. RUNCIMAN: I am afraid I cannot see my way to do that.

Motor Speed Limits in Scotland.

Mr. CATHCART WASON: I beg to ask the Secretary for Scotland whether, in view of the fact that applications by local authorities to reduce the speed-limit of motors to ten miles an hour are persistently opposed by motor or automobile associations, he will consider the advisability of taking steps, by legislation or otherwise, to throw the cost of inquiry upon such associations when the opposition might be held to be frivolous.

The SECRETARY for SCOTLAND (Mr. Sinclair, Forfarshire): I can only assure my hon. friend that this whole question is receiving the consideration of the Government.

Mr. CATHCART WASON: Cannot associations with no *locus standi* be prevented appearing at these inquiries?

MR. SINCLAIR: I do not think there is reason to believe undue weight is given to their representations, as the decisions arrived at on the whole commend themselves to the community generally.

Scotland and the Housing and Town Planning Bill.

MR. CLELAND (Glasgow, Bridgeton): I beg to ask the Secretary for Scotland whether he is in a position to state to the House the changes contemplated in the Local Government Board (Scotland) in order to carry out the added duties imposed upon that Board by the provisions of the Housing and Town Planning Bill.

MR. SINCLAIR: I have nothing to add to the answer given to the hon. Member for Leith Burghs on 6th November, a copy of which I am sending to my hon. friend.

Motor Traffic Regulations.

*MR. DUNDAS WHITE (Dumbartonshire): I beg to ask the Secretary for Scotland whether the circular of the Local Government Board recently issued to local authorities in England and Wales with reference to motor traffic and the speed-limit has any application to Scotland; and whether the issue of that circular, or of a similar one, to the local authorities in Scotland is under consideration.

MR. SINCLAIR: The circular referred to has no direct application to Scotland. The terms of a Scottish circular are at present under consideration.

*MR. DUNDAS WHITE: Can the right hon. Gentleman say when it will be issued?

MR. SINCLAIR: I cannot say at the moment.

Dumbartonshire Boat Regulations.

MR. DUNDAS WHITE: I beg to ask the Secretary to the Treasury whether his attention has been called to the fact that persons owning small boats for their private use and persons owning small boats for hire on various portions of the Dumbartonshire coast have, for the first time, been served with a notice that the owner of every such boat, not being of the burden of 100 tons and not belonging to a ship, should, under liability of forfeiture of the boat, have painted upon the outside of the stern of such boat in white or yellow Roman letters, of not less than two inches in length, on a black ground, the name of the owner of the boat and of the port or place to which she belongs; and whether he will take steps to prevent Section 176 of the Customs Consolidation Act, 1876, being pressed in this way.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HOBHOUSE Bristol, E.): The notice in question, as my hon. friend is aware, merely draws the attention of boat owners to the requirements of the law, in regard to which I understand some laxity had been shown. The Board of Customs regard it as important that the provisions of the law should be complied with, and I see no sufficient reason for interference on my part with a regulation which I cannot believe can cause any serious inconvenience.

*MR. DUNDAS WHITE: Is the hon. Gentleman aware that this is the first time the regulation has been enforced there?

MR. HOBHOUSE: No, Sir, I am not.

Alleged Jury Packing at Sligo.

MR. McHUGH (Sligo, N.): I beg to ask Mr. Attorney-General for Ireland whether he has been informed by the Crown Solicitor for Sligo that persons had come from Sligo to Limerick for the purpose of influencing jurors in the cases of the Geevagh, County Sligo, traversers; who were the persons who came from Sligo to Limerick for the purpose alleged; what was the nature of the influence complained of; and can he give the names of the jurors who were ordered to stand by because they were believed to have been influenced in the manner suggested by the Crown Solicitor.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): Yes, Sir. The information, as stated in the Question, has been furnished to me. The influence complained of was an organised attempt, by personal visits to persons summoned on the jury panel, to prejudice them against the case for the prosecution. I have been furnished with the names of six persons, in addition to those who came from Sligo who, it is believed, took part in this improper proceeding; and inasmuch as I am at present considering the propriety of instituting criminal proceedings, it would be improper for me to mention any names. For the same reason it would not be in the public interest that I should mention the names of the persons ordered to stand by; but these also have been furnished to me.

Irish Crown Solicitors and Jury Challenging.

MR. MCHUGH: I beg to ask Mr. Attorney-General for Ireland whether, in the empanelling of juries in Ireland, the right of unlimited challenge without cause assigned may be exercised by Crown Solicitors as they think fit; whether the present administration of the law in regard to trial by jury in Ireland differs from its administration under his predecessors in office; and, if so, will he inform the House in what particulars the difference consists.

MR. CHERRY: The answer to the first part of the Question is in the negative. Strict rules are laid down for Crown Solicitors to follow in ordering jurors to stand aside. The chief grounds upon which they are authorised to challenge are: (1) Affinity to the person on trial; (2) partiality; (3) bodily or mental infirmity; and (4) in cases of peculiar local excitement in any particular town or district, residence in the immediate neighbourhood. As regards the latter part of the Question, I do not like even to appear to criticise the action of my predecessors in office, but I understand that complaints were made, formerly, that jurors were ordered to stand aside, not for these or similar reasons only, but also by reason of their religious or political views, and that in consequence it frequently happened that Catholic peasants were put upon their trial before juries composed exclusively of persons who were Protestants in religion and Unionists in politics, and who might not unreasonably be supposed to be prejudiced against them. I cannot, of course, say whether these complaints were well-founded or not, but I have taken every possible precaution against any such practice being followed since I have been in office, and I have issued strict injunctions to all Crown Solicitors not to order any juror to stand aside by reason of his religious or political views. The first charge that has been made against a Crown Solicitor since I have been in office of exercising the power of standing by improperly is that now made against the Crown Solicitor for Sligo, and in consequence of it I have made such inquiries as I could as to the religious and political views of the jurors empanelled in the three cases referred to by the hon. Member on Thursday last and to-day. I find that of thirty-six jurors in all sworn to try these cases, twenty were Roman Catholics, twelve were Protestants two were Jews, and there are two whose religion is unknown. As to their political views I am unable to obtain such definite information, but my informant, who has lived in Limerick all his life, and has made careful inquiries, tells me that so far as he can ascertain the great majority of them were Nationalists. It appears to me that these facts completely exculpate the Crown Solicitor for Sligo from any charge of unfairness in empanelling the juries.

MR. JOHN O'CONNOR (Kildare, N.): Was the Crown Solicitor in this case resident at Limerick or Sligo? Does the right hon. Gentleman believe that the Crown challenge in this case was based on a just exception, and does he think that a jury empanelled in this manner, and presided over by a partial political Judge, could give a fair trial?

MR. SPEAKER: That is an irregular Question, and notice should have been given of it.

Canvassing Jurors.

MR. MCHUGH: I beg to ask Mr. Attorney-General for Ireland whether he has been informed by the Crown Solicitor for Sligo that, at the Connaught Winter Assizes in Limerick, an active canvass of the jurors had been made on behalf of the Geevagh, County Sligo, traversers; what was the evidence on which the Crown Solicitor grounded his information; and can he state the names of the persons who canvassed the jurors and the names of the jurors who were canvassed.

MR. CHERRY: I received information not only from the Crown Solicitor for Sligo, but from several other independent sources as well, that a systematic and organised canvass of the jurors on behalf of the Geevagh traversers was made at the recent Assizes in Limerick. I cannot give any names, or state the nature of the evidence available for the reasons I have already stated in answer to previous Questions, but I can promise the hon. Member that I will take every possible means in my power to put a stop to this nefarious practice.

MR. McHUGH: On the first available opportunity I shall call attention to jury packing in Limerick and move a Resolution.

Kerry Labourers' Cottage Schemes.

MR. J. MURPHY (Kerry, E.): I beg to ask Mr. Attorney-General for Ireland whether his attention has been called to the action of the County Court Judge of Kerry recently in dismissing several applications for houses by labourers, on the ground that such houses should be provided by the employers of the labourers concerned; whether in the cases concerned the erection of the houses was authorised by the Killarney District Council and by the Local Government Board; and whether he can take any steps to secure that the labourers referred to will be provided with house accommodation.

MR. CHERRY: I understand that in the case of the last scheme promoted by the Killarney Rural District Council under the Labourers Acts, sixty appeals were presented to the County Court Judge against the order of the Local Government Board inspector. The Local Government Board have only received notifications of the decisions on thirty-nine of these appeals, nearly all of which were upheld, and they are not aware of the grounds of these decisions. The order of the County Court on such appeals is final, and the question of making a new scheme to provide for the labourers whose needs are unsatisfied is one for the Rural District Council.

MR. J. MURPHY: Will the right hon. Gentleman tell the County Court Judge he ought not to have refused the applications on the ground he did?

MR. CHERRY: I have no control over the County Court Judge.

MR. J. MURPHY: You might suggest to him he has taken a wrong view?

MR. CHERRY: I cannot do that.

Castleconnel Arbitration.

MR. BARRIE (Londonderry, N.): I beg to ask the Vice-President of the Department of Agriculture (Ireland) what was the total amount of the remuneration paid to the hon. Member for East Wicklow, recently employed as arbitrator in the case arising out of breaches of an agreement entered into between the Department and Antony Mackey, who conducted a peat-works experiment at Castleconnell, County Limerick; over how many days the arbitration extended; what was the rate of the arbitrator's fee; and from what source was the payment made by the Department.

MR. CHERRY: My right hon. friend the Vice-President of the Department of Agriculture informs me that the total amount of the fees paid to the arbitrator in this case was £78 15s., being for five days hearing in the country at the rate of fifteen guineas a day. The Department are advised that this is a very reasonable fee for a practising barrister acting in this capacity. The payment was made from the Endowment Fund of the Department.

Omagh Court House.

MR. J. MACVEAGH (Down, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what rent is paid by Colonel Irvine, sub-sheriff, and rent collector for the Greer estate, for the use of the Court-house at Omagh, County Tyrone, as a rent office.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): I am informed that the under-sheriff for County Tyrone is also agent for the Greer estate. He attends at the estate office, which is near the Court-house, for the collection of rent on the appointed rent days. On other days he is frequently engaged in the sheriff's office in the Court-house, and tenants sometimes call and pay their rents there. The under-sheriff pays no rent for his office in the Court-house.

Land Purchase in County Cork.

MR. REDDY (King's County, Birr): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the fact that the average price paid in Cork County under the Ashbourne Act was 15·1 years purchase, and under the 1903 Act the vendor received 23·8 years purchase, an increased price amounting to 57½ per cent.; can he say how much land sold in Cork County under the Act of 1903 was proposed to be sold under the Ashbourne Act, the inspector reporting on behalf of the Treasury want of security for advance; and whether these lands have been sold at the inflated price of 57½ per cent. advance under the Act of 1903 due to want of inspection.

MR. BIRRELL: The average price under the Irish Land Act, 1903, quoted by the hon. Member included the bonus. There are no records showing what holdings, if any, were sold to tenants under the Act of 1903 in respect of which advances had been refused under the prior Land Purchase Acts.

Knox Estate, Curry.

MR. O'DOWD (Sligo, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps, if any, are being taken by the Estates Commissioners to have the ten evicted tenants on the Messrs. Knox estate, situate near Curry, in the County of Sligo, reinstated in their holdings; whether the present occupiers of these evicted holdings are now prepared to surrender them in consideration of compensation being paid; and, if so, whether immediate action will be taken to have these families restored to their homes.

MR. BIRRELL: In two of the ten cases referred to the applications for reinstatement were not received by the Estates Commissioners within the time prescribed by the Evicted Tenants Act, in five the Commissioners have decided to take no action, in two they have intimated to the receiver the price they are prepared to pay for the evicted farms if the former tenants are restored, and the remaining case will be considered in connection with allotment of untenanted land. The Commissioners cannot say whether the present occupiers of the holdings in question are prepared to surrender them.

Brinkley Estate, County Sligo.

MR. O'DOWD: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a memorial praying for the reinstatement of Pat Breheny, junior, of Annaghcarty, Riverstown, County Sligo, an evicted tenanted on the Brinkley estate, was received by the Estates Commissioners in February last; whether an inspector visited this evicted farm in June last and reported; and, if so, whether he can state the nature of this official's report.

MR. BIRRELL: The Estates Commissioners have received an application from this man for reinstatement, and have informed him that his name is noted for consideration in connection with the allotment of such untenanted land as they may acquire. His former holding is in the occupation of another tenant. The Reports made to the Commissioners by their inspectors are confidential, and their contents cannot be disclosed.

Waste Grazing Lands in County Sligo.

MR. O'DOWD: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that there are on the Phibbs, Cooper, M'Clintock, and other estates in the neighbourhood of Riverstown, County Sligo, over 1,500 acres of waste grazing land, from which tenants were capriciously evicted some forty years ago; whether on one of these estates, Brinkley's, 800 acres of these grass farms are held by two non-residential graziers, whilst twenty-seven tenants on the same property occupy small holdings consisting mostly of reclaimed moorland; and, if so, in view of the fact that some of these landlords are negotiating with the view of selling these lands to graziers, will steps be taken by the Estates Commissioners to acquire them for the purpose of relieving congestion in the district.

MR. BIRRELL: No proceedings for the sale of these lands are pending before the Estates Commissioners, and they cannot interfere in the matter.

Shannon Bridge, King's County.

MR. REDDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Shannon Bridge, King's County, and the property of Lord Ashbrooke in the neighbourhood, has been sold to the tenants; and seeing that Shannon Bridge is one of the most peaceful places in the world, can he say why the local police force has been increased by five constables.

MR. BIRRELL: I understand that the property referred to has been sold to the tenants. Part of the district attached to the Shannon Bridge Police-Station is in Roscommon and part in King's County. The latter portion is peaceful, but it has been found necessary to strengthen the station by the addition of five men belonging to the Roscommon force for duty in that county.

Reeves Estate, Mallow.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Estates Commissioners has been called to the circumstances under which Mr. George O'Sullivan was compelled to sign agreements for the purchase of his holdings on the Reeves estate, near Killavullen, Mallow, County Cork; and whether the Commissioners will direct an inquiry and inspection of the holdings to be made before giving their sanction to the sale, in order that the system of squeezing tenants to compel them to pay higher prices than tenants who are free agents may be stamped out.

MR. BIRRELL: The estate will be inspected in its proper turn. Any representations made to the Estates Commissioners will be considered before the advances are sanctioned.

Leader Estate, Dromagh.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners can now state what steps they have taken towards acquiring the untenanted lands on the Leader estate, Dromagh, County Cork; and whether, in view of the necessity of acquiring land for the reinstatement of evicted tenants of the locality, the enlargement of present uneconomic holdings, and the securing of suitable plots for deserving labourers under the recent Acts relating to these classes of the working population, the Commissioners will do all in their power to expedite proceedings on this estate.

MR. BIRRELL: The Estates Commissioners are in negotiation with the owner of these lands.

Abercorn Estate Evicted Tenant.

MR. C. MACVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Land Commissioners has been drawn to the farm 1098, which was situated in the past on the Duke of Abercorn's estate, and was purchased by the late Margaret Crumley, and now occupied by Rachel Crumley, who has signed an agreement to give the farm up to the Land Commissioners or to Samuel Keys, the former tenant, who was evicted from it by the Duke of Abercorn, if she gets adequate compensation in either land or money; and whether he can state what steps the Commissioners have taken in in the matter, and when Keys will be reinstated in the farm from which he was evicted.

MR. BIRRELL: I have nothing to add to my reply to a similar Question asked by the hon. Member on 16th November.

Public Record Office Delays.

MR. CREAN (Cork, S.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that it takes from three to four weeks before a reply can be got from the Public Record Office, Dublin, to applications for certified copies of Census Returns made by people whose names do not appear on local baptismal registers, and who need those Returns immediately to enable them to prove their claims for old-age pensions: whether this delay is due to insufficiency of staff; and, if so, in view of the fact that an advance fee of 2s. is paid by each applicant, thus providing for the cost of any temporary increase of staff, he will take steps to have all such certificates sent to the applicants so as to enable pension Committees to complete the claims before 1st January.

MR. BIRRELL: The facts are as stated in the Question. The Deputy-Keeper of the Records informs me that every effort is being made to meet the demand for evidence of age, and that a considerable temporary increase has been made in the staff of the Public Record Office for the purpose. He has no reason to doubt that all cases in which applications have been received up to the present will be dealt with before 1st January.

Dublin Overseer as Post Office Detective.

MR. NANNETTI (Dublin, College Green): I beg to ask the Postmaster General under what circumstances an overseer at Dublin substituted the detective police sergeant attached to that office while the latter was absent for a few days; and will he say what particular fitness this overseer showed for the duty, and the place he occupied on the list of sorting clerks prior to his appointment as overseer.

MR. SYDNEY BUXTON: I am making inquiry into this matter, and will communicate the result to the hon. Member.

Irish Head Post Offices.

MR. NANNETTI: I beg to ask the Postmaster-General under what circumstances a number of head offices in Ireland are being reduced to the rank of salaried sub-offices; will he say if the reduction is warranted by a falling off in business, and is he aware that the reduction will give rise to auxiliary labour; can he say if it is contemplated to reduce many more Irish offices; and whether in any cases the local people have objected to the change.

MR. SYDNEY BUXTON: The reduction of small head offices to the rank of salaried sub-offices is not confined to Ireland. It is found to be desirable in some cases as a purely administrative measure carried out solely with the view of obtaining more efficient administration without curtailing postal facilities. The change does not lead to an increase of auxiliary labour. I am unable to say at present whether any further reductions than those already agreed upon will be necessary. Any opposition which has been offered to the reduction of an office has been based, generally speaking, on a mistaken idea that postal facilities will be in consequence reduced or that the interests of the town will be prejudicially affected. In no case has the alteration resulted in any curtailment whatever of existing facilities and prejudicially affected the inhabitants.

Dual Duties in the Dublin Post Office.

MR. NANNETTI: I beg to ask the Postmaster-General if it is the intention to abolish the dual system in Dublin as recommended by the Hobhouse Committee; can he say if the recommendations of the Committee regarding the confining of the day's duty to within a period of twelve hours will be carried out at that office; and, in view of the statement made on behalf of the Department before the Hobhouse Commission that a large sum of money had been expended in abolishing split duties in London, if he will say what sum, if any, has been up to the present spent in pursuit of the same object in Dublin.

MR. SYDNEY BUXTON: It is not proposed to abolish the dual system at Dublin. It is necessary there for the due disposal of the work. A revision of the indoor force at Dublin is now under consideration, and care will be taken to confine the attendances, as far as possible, within a period of twelve hours in accordance with the Parliamentary Committee's recommendation. I am unable to give details of expenditure incurred for the purpose of reducing the number of split duties at Dublin; but the hon. Member may rest assured that I shall carry out that policy as far as practicable.

Dublin Sorting Clerks and Telegraphists.

Mr. NANNETTI: I beg to ask the Postmaster-General if he will state the number of entrants to the class of sorting clerk and telegraphist at Dublin within the past two years; the number of such entrants who have entered other than by open competition; the number of learners now fully qualified there and awaiting appointments, and the likelihood of appointments for such qualified learners; will he state on an average how many extra sorting clerks and telegraphists would have been required daily for the past three months if auxiliary labour had not been employed; and how many learners have been employed on full duty for the same period.

Mr. SYDNEY BUXTON: I am making inquiries, and will inform the hon. Member in due course.

Castletown Bere Postal Arrangements.

Mr. GILHOOLY (Cork County, W.): I beg to ask the Postmaster-General whether his attention has been called to the defective postal arrangements at Castletown Bere; whether he is aware that business people in the town who do not reside near the post office are debarred from answering letters by return of post; and, if so, seeing that Castletown Bere is a naval base and an important fishing station, he will take immediate steps to provide better postal arrangements for it.

Mr. SYDNEY BUXTON: I will make further inquiry into the question of improving the postal service to Castletown Bere; but, for the reasons explained in my Answer to the Hon. Member's previous Question on the subject on 18th May last, I can hold out little hope that it will be found practicable to provide an improved service.

Pension Application Forms in Cork Post Office.

Mr. FLYNN (Cork, N.): I beg to ask Mr. Chancellor of the Exchequer whether he has been made aware of complaints concerning the inadequate supply of application forms under the Old-Age Pensions Act for the districts of Newmarket, Meelin, Rockchapel, and Boherbee, County Cork, and the complaint of the Rev. Father Norris, chairman of the Newmarket sub-committee, to the pension officer that many applications have not yet been made in the district owing to this cause; and whether immediate steps will be taken to remedy this defect in the administration of the Act.

Mr. SYDNEY BUXTON: My right hon. friend has asked me to reply to this Question. I was not aware that the supply of application forms under the Old-Age Pension Act had in any case been found inadequate; and I will have immediate inquiry made respecting the districts mentioned by the hon. Member.

Government Indian Reform Proposals.

Mr. G. GOOCH (Bath): I beg to ask the Prime Minister whether he will reconsider his refusal to arrange for a statement to be made on Indian reforms in this House simultaneously with that made by the Secretary of State.

Dr. RUTHERFORD (Middlesex, Brentford): May I also ask the Prime Minister whether he will inform the House of the nature of the reform scheme for India?

Mr. SWIFT MACNEILL: And may I further ask the Prime Minister whether, having regard to the very general feeling of disapproval in this House that a statement of the policy of the Government in respect to India is to be made in the other House before the Members of this House have been placed in possession of the general features of that policy, he will consider the advisability or convenience in the public interest of making some arrangement whereby Government declarations on Government policy should be communicated in the future to this House of the elected representatives of the people before such communications have been made to the House of Lords?

Mr. MACKARNESS: I beg further to ask the Prime Minister whether, in view of the financial and constitutional responsibility of this House for the government of India, he will allow the House to be made acquainted with the main features of the legislation to be proposed by His Majesty's Government for the better administration of that country.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I am sorry to say that the statement of my noble friend Viscount Morley, owing to his indisposition, cannot in any case be made to-day. I hope, but I cannot at present say for certain, that it may be made some day in this week, and immediately after the statement the despatch containing a full explanation of the proposed reforms and other papers will be circulated to Members of this House. I will undertake that a statement shall be made in this House on the same evening.

MR. AUSTEN CHAMBERLAIN: Will there be an opportunity for discussion in this House?

MR. ASQUITH: No, Sir; not on that night.

MR. AUSTEN CHAMBERLAIN: Then the discussion will be in the other House only?

MR. ASQUITH: So far as I understand, there is not going to be a discussion in the other House.

MR. KEIR HARDIE (Merthyr Tydvil): Is it not possible to have the papers circulated before the statement is made?

MR. ASQUITH: I think the statement had better be made first.

Board of Trade and Local Government Board.

SIR WILLIAM HOLLAND (Yorkshire, W.R., Rotherham): I beg to ask the Prime Minister whether any progress has been made with the inquiry, which was promised at the beginning of the session, into the functions and *status* of the Board of Trade and the Local Government Board.

MR. ASQUITH: Yes, Sir, considerable progress has been made with the inquiry, but I am not in a position to make a definite announcement.

Reform of the House of Lords.

MR. SWIFT MACNEILL: I beg to ask the Prime Minister whether the attention of the Government has been directed to a Report from a Select Committee of the House of Lords, of which Lord Rosebery was the Chairman, on the House of Lords with a view to the reform of that body; whether he is aware of Lord Rosebery's declaration in the House of Lords in the year 1884, that reforms in the House of Lords would not be carried out by previous appointment of a Select Committee, but by a proposal coming from Ministers of the Crown.

MR. ASQUITH: The Government are not prepared to take any action on the Report in question.

Indian Sedition Bill.

MR. SWIFT MACNEILL: I beg to ask the Prime Minister whether, having regard to the penal provisions of the new Sedition Bill passed by the Government of India and the strong feeling that such provisions are a serious infringement of the constitutional rights of British subjects, this House may be given an opportunity of expressing its opinion on this measure before it is put into operation.

MR. ASQUITH: The Bill to which the hon. Member refers is not a Sedition Bill, but a Bill for dealing with murderous outrages and kindred offences. It has been passed, and is now in operation.

MR. SWIFT MACNEILL: Is not the right hon. Gentleman aware that the effect of putting into operation of coercive measures of this kind before remedial measures is calculated to excite to outrage?

MR. ASQUITH: That is a matter of opinion.

MR. MACKARNESS was understood to ask at what offences the Act was specially aimed?

MR. ASQUITH: The offences are set out in the Schedule of the Act which will, I believe, be circulated on Wednesday.

Select Committee on Home Work.

Mr. HUGH LAW (Donegal, W.): I beg to ask the First Lord of the Treasury whether the Government intend in the coming session to introduce legislation to carry out any of the recommendations of the Select Committee on Home Work; and whether, in the event of their doing so, they will bear in mind the necessity of making special provision for the distinct case of home workers in rural districts.

Mr. ASQUITH: I am afraid that I am not in a position to make any pledges as to the legislation to be introduced next session. In the event of a Bill to carry out the recommendations of the Select Committee on Home Work being introduced, due regard will, no doubt, be had to the case of rural as distinguished from urban home workers.

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Reasons for disagreeing to certain of the Lords Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Cherry.*)

BUSINESS OF THE HOUSE (PRIVATE BUSINESS).

The PRIME MINISTER and FIRST LORD of the TREASURY (Mr. Asquith, Fifeshire, E.): I beg to move that the proceedings on any private business set down for consideration at 8.15 this evening, by direction of the Chairman of Ways and Means, may be entered upon at any hour, and be not interrupted under any Standing Order regulating the sittings of the House. I may say that the only object of this Motion is to enable the three private Bills down on the Paper to get through, and that we may, I was going to say, not be troubled with them any more during this session, but so that they may have a fair chance of not being put an end to at 9.30 this evening. I do not regard this Motion as in any sense a precedent. If it were, I should not take such action, as I think it would be undesirable for the ordinary private business of the House. I make the Motion simply in view of the exigencies in which we are placed at this moment and of the importance of the great time and labour expended on these Bills not being wholly wasted. Under these circumstances, I hope the Motion will meet with general agreement.

Motion made, and Question proposed, "That the Proceedings on any Private Business set down for consideration at 8.15 this evening, by direction of the Chairman of Ways and Means, may be entered upon at any hour, and be not interrupted under any Standing Order regulating the Sittings of the House."—(*Mr. Asquith.*)

Mr. A. J. BALFOUR (City of London): I do not rise to raise any objection to the Motion. This may be a very proper proceeding. I understand that the right hon. Gentleman does not propose, except in similar difficulties perhaps, that this should be made a precedent. But what does he propose should be the course of business before and after the private Bills?

Mr. ASQUITH: Before, until 8.15 p.m., we propose to take the Third Reading of the Coal Mines (Eight Hours) Bill. As regards the business subsequent to the consideration of the private Bills, that depends on the length of time which they take. Our second Order to-day is the consideration of the Lords' Amendments to the Children Bill, and if the Private Bills were disposed of at a comparatively reasonable hour—I suppose I might say ten o'clock—I think we might take the consideration of the Lords' Amendments to the Children Bill; but if it turns out that the private Bills occupy a longer time we will defer the consideration of what is really a very important question, viz., the Lords' Amendments to the Children Bill, till to-morrow. There are two other Bills, neither of which raises any question of serious controversy, which I hope we might take to-night, first the Committee Stage of the Crofters' Commons Grazings Regulation Bill, and the other the Second Reading of a Bill which has already passed the House of Lords, viz., the Statute Law Revision Bill. The important question, of course, is the Children Bill, and I will undertake that we shall not proceed with that except at a reasonably early hour.

Mr. KEIR HARDIE (Merthyr Tydvil) asked if it was not possible to take the Children Bill before entering upon the consideration of the private Bills.

Mr. ASQUITH: If we get the Third Reading of the Eight Hours Bill at an early hour we should proceed with the Children Bill.

Mr. KEIR HARDIE asked whether if the Motion of the Prime Minister were agreed to, the private Bills could not be taken at any hour of the evening.

Mr. ASQUITH: No; they must come on at 8.15 p.m.

Mr. KEIR HARDIE pointed out that the Motion said they might be entered upon at any hour. Could not the Children Bill, therefore, be taken before them?

*Mr. SPEAKER: It would not be possible to take the private business before 8.15; it has been fixed for that time by the Chairman of Ways and Means.

Mr. A. J. BALFOUR: As I understand the hon. Gentleman's suggestion, it was that the private Bills might be entered upon after 8.15 p.m. I do not believe that is the intention of the Government, but the *prima facie* reading of the Resolution seems to support the contention of the hon. Gentleman.

Mr. ASQUITH: The object of the Motion is this. Under the Standing Orders we cannot enter on the consideration of a private Bill after 9.30, and it is to provide for that contingency that I move the Resolution.

Question put, and agreed to.

Ordered accordingly.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Order for Third Reading read.

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Gladstone, Leeds, W.): A very few words are necessary from me on this occasion. I must remind the House at the outset that we have not rushed the Bill through its various stages. It is entirely innocent of the guillotine. For eighteen months the Bill has been before the country, and on eighteen days the Bill has been under discussion. I will say one or two final words as regards two of the principal points in connection with the Bill. First of all, as regards the question of safety, which was one of the main points submitted in the Committee examination, I maintain that we have provided against all those dangers which in some quarters were anticipated as likely to result from the Bill. We have introduced safeguards against these dangers, first of all by excluding the second winding for a period of five years, which will certainly reduce any tendency to haste in the working of a coal mine under the Bill; in the second place, we have provided for securing a safe period of winding the men up and down; in the third place, we have exempted firemen and other special classes of men upon whom the safety of the mine more immediately depends; and in the fourth place we have excluded general workmen underground whose continued presence in the mine may be necessitated by apprehended danger. I say now that, having regard to these safeguards, there is no reason at all to fear the effects of this Bill with respect to any increase of danger in coal-mining. The second point on which I have to say something is the economic side. I admit now, and I have never used different language, that it is not possible to forecast precisely what the amount of disturbance may be in the working of a mine when this Bill comes into operation, or what the precise increase in the cost of production may be, but let the House remember this, that whatever may be said in regard to some districts, this Bill cannot be an element of disturbance in no inconsiderable number of the mines of the country, and in that number I include some of the very greatest mines which are now being worked. Those mines which are now worked in two or three shifts on the eight hours basis will not be affected at all. There are other single shift mines which are now practically working eight hours a day, and there are a considerable number of mines which are worked only slightly in excess of eight hours a day, where the effect of this Bill in any case will be immaterial and not appreciable. On the other hand I admit that in Durham and Northumberland something like complete reorganisation of most of the mines will be necessitated, and on a scale and at a cost which justifies the extension of the preparatory period which we have now given them in the Bill. I am confident that mine owners in other parts of the country will not grudge this small concession to Durham and Northumberland, in view of the better facilities which they have in conforming to the provisions of the Bill. I agree that there may be some difficulties such as were pointed out by my hon. friend the Member for Mansfield, but I do not believe that he, when he considers it wholly, will really grudge this benefit, such as it is, to Durham and Northumberland. Then I come to the South Wales and Lancashire mines, and here again I admit that for a time the Bill may put these mining districts to some inconvenience; but I am not to be told that the skill and resource of the managers and the owners in Lancashire and South Wales will not be amply sufficient to effect changes which are necessary either by the establishment of double shifts or in any other way by reorganisation which may be necessary. So, Sir, though I say that the transition period may involve some rise in price, still I maintain it is by no means improbable that in a very short time, because of the increased power of production which this Bill in operation will bring about, consumers will gain and not lose by the Bill. That is not very material to the argument, but I make bold to say that, and in time we shall see who is right and who is wrong. Though the reception of the Bill was not altogether friendly, yet I wish to thank the House for its patient and considerate attention. I do not think it is necessary for me at the outset to go into the substance of the case. I have spoken over and over again until I am tired of the sound of my own voice on this subject, and I therefore leave any further statements or arguments which may have to be made in reply to the speeches on the Third Reading to my right hon. colleague. I thank the House for its consideration, and I thank in particular my hon. friend the Member for Hanley and his colleagues for their zeal and their restraint in this matter, which were equally helpful to me. I wish to say that in the course they pursued they were not merely discharging a political obligation. For twenty years many of us have voted or spoken in this House consistently in support of the principle of this Bill. Twenty years ago perhaps the support of the miners might not have been so necessary as some hon. Members take it to be now, but, at any rate, the events of twenty years go to show that those who consistently, year after year, voted for the Bill have not done so out of a mere wish to get votes. I have not any miners' votes in my own constituency, but it was because we expected the change which we were proposing was really going to confer very considerable benefit that we supported it. Therefore, I say we have not brought in the Bill and worked it up to this stage for the purpose of securing the votes of miners, though I admit those votes in most parts of the country have been very friendly to the party to which I belong. But that is not so all over the country. There is the great mining county of Lancashire, where certainly the miners are not more friendly to the Liberal party than to the Conservative party. However that may be, I present this Bill to the House for Third Reading as something which through its agency will give to a large section of the country fresh hope and confidence in life. We hope to close a long controversy between employers and employed which threatened to develop, and, indeed, might easily develop, danger and loss. We believe that this Bill will establish a great national industry on a rational and permanent basis, and that it will help to render the hard lives of miners less arduous and to increase the sum total of contentment and prosperity.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

Lord R. CECIL (Marylebone, E.), in moving that the Bill be read the third time upon that day three months, said there was one observation of the right hon. Gentleman with which he found himself in complete accord. The right hon. Gentleman congratulated the House on the fact that the Bill had not been passed by means of the guillotine. It was indeed a matter of congratulation that any Bill in this Parliament should not be passed by that means. While according all the praise they deserved to the Government for their self-restraint in the matter, he thought that a considerable meed of praise was due to the Opposition for the extreme moderation with which they exercised their rights on Thursday and Friday last in the discussion of important details. They had, so far as the House of Commons were concerned, reached the last stage of the controversy, and it was not his purpose to attempt any complete survey of the field occupied by the Bill. He merely desired to draw attention to a few topics which had become familiar to the House during the discussion of the Bill in its various stages. One thing that struck him in almost all the discussions was the attitude of the Government. He did not believe that a Government Bill had ever been recommended to the House with less confidence, or indeed with less argument. The speech to which they had just listened was a fair example of the general tone which the Government had adopted in reference to the matter—a few perfunctory phrases about benefit to the country, always undefined, and the rest of the speech, as indeed was the case with all the right hon. Gentleman's speeches, occupied by explaining to the Opposition that, bad as the Bill was, it was not so bad as they thought. The right hon. Gentleman took great credit to himself that he had provided against the dangers which would be caused by the change of system, that he had excluded winding and firemen, and in other ways taken steps to diminish the injury it was likely to cause. He had added that it was impossible for anyone to forecast the amount of disturbance or the precise amount of the increase in the cost of the material which might be caused thereby. He did not think anyone had ever heard a responsible Government put forward a measure to be defended by an argument of that description. The right hon. Gentleman could not afford to himself the melancholy consolation of Touchstone in the play. Undoubtedly it was a poor thing, but the right hon. Gentleman would hardly venture to add: "It is my own." No one really supposed that the Bill was brought forward by the Government of their own motion. They all knew the authors of the Bill. There was no secret about the matter. They were the hon. Members below the gangway, familiarly known as the Labour Party. Therefore, in examining the arguments by which this Bill had been recommended, he thought he would more usefully occupy the time of the House by examining the arguments used by the hon. Members below the gangway than in dealing with those put forward by the Government. The first thing that would strike everyone was the change of ground which had taken place even in the advocacy of the hon. Gentlemen below the gangway. Hon. Members were quite familiar with the well-known passage in the speech of the hon. Member for the Wansbeck division in the House on 27th February, 1901, in which he pointed out that the original advocacy of this Bill was put on an absolutely different ground from that now relied upon. The hon. Member said—

> "My hon. friend has said that it is not the object of this measure to limit the output of coal, but this was really the object with which the agitation began. At the Bradford Trade Union Congress in 1888, it was distinctly stated that it was to restrict the output of coal, which was about 20,000,000 tons more than was necessary, but when it was found that the British consumer would have something to say to any limitation of the output, then the promoters took another line, and said that if the hours of labour were reduced employment would be found for a greater number. When the weakness of that was pointed out the promoters fell back on a third line, that the Bill would increase the safety of the miners."

That was no doubt the argument mainly put forward by hon. Members below the gangway. It was clear in the first place that they were entitled to say that that was something of an argument, and that in itself the Government did not very much believe in it, for the Home Secretary had explained how many precautions he had taken with the view to avoid increasing the danger in mines by the Bill. His anticipation was not that the Bill would increase the safety in mines, but rather that unless it was carefully guarded it would increase the danger.

MR. GLADSTONE: No, Sir. The safeguards we put in were to meet special points brought to my knowledge by experts, but I have never thought, and I do not think, that this Bill is going largely, or very materially, to increase the danger of coal-mining in any part of the country. I quite agree that danger ought to be met and provided against if possible.

LORD R. CECIL said that was exactly what he stated. The right hon. Gentleman, being of an optimistic or sanguine disposition, did not think that the Bill was going materially to increase the danger of mines. That was very modified praise for the Government to give of the measure. But the hon. Member for Merthyr Tydvil, being still more sanguine, said that it was going positively to diminish the danger, and it was on that argument he desired to say a word. The hon. Member said, in the first place, that *a priori* and in itself it was likely to increase safety because if men were not so long below ground, they were likely to be more at their best for the time they were there, and not so likely to do careless or dangerous things. As to that, they had had the other opinion—an opinion expressed, and so far as he knew not withdrawn—by the hon. Member for Wansbeck that there was at least equal danger that if they confined by rigid rules the hours below ground, miners, being human, would work more quickly, and, therefore, less carefully than if they were allowed a longer time to earn their money. Therefore, so far as the *a priori* ground was concerned, the matter was one on which he was not in a position to form any independent judgment of his own. He must leave that matter to be discussed and determined by such experts as the hon. Member for Merthyr and the hon. Member for Wansbeck. The hon. Member for Merthyr did not confine himself to mere theory. The other night he gave figures which he said showed as a matter of fact that the decrease of the hours worked meant an increase of safety, and he cited three particular districts in support of his view. He had not been able to see a report of the hon. Member's speech, but he thought he was accurate in saying that the hon. Member stated that in Scotland the hours were lowest, and that there mining was safest; that in Northumberland and Durham the hours were rather greater, and that there the proportion of fatal accidents was rather larger.

MR. KEIR HARDIE: What I said was that in Durham and Northumberland the hours are shorter.

LORD R. CECIL said if the figures which the hon. Member gave showed that the hours were shorter there than in Scotland, the illustration fell to the ground immediately. Then the hon. Gentleman went on to say that in South Wales the hours were still longer and the danger still greater. He left out of consideration all questions of the relative difficulties in working the mines. He knew very little of the subject, but he thought it was admitted that in South Wales they had the most dangerous mines in the country, both in regard to explosions and falls of stones from the roof. He wanted to test the figures of the hon. Gentleman. He was not taking three selected mining industries, but he had tried to see what was the result of an examination of the general statistics of labour as to accidents; and he found this. In the last ten years, from 1897 to 1907, the number of fatal accidents per 1,000 of the population was practically the same. In 1897 they were 1·34; in 1907 they were 1·32. In the intervening years they had fallen to 1·24 and had risen to 1·36, but they remained practically the same during the ten years. That he presumed was a fair test which showed that there had been no change at all in the safety of the working of the mine. But it was not true that there had been no change in the hours of labour. He could not give the details, but the net result of the change was that there had been a very decided reduction in the hours of labour in the mines, taking the whole of the districts of the country in the same way. Therefore, they had this broad fact, that, whereas the hours of labour had diminished, the safety was just where it was ten years ago. He thought that was quite a good commentary upon the figures of the hon. Member for Merthyr. But it did not stop there. That was only a very small part of the argument. He thought what was much more important was the conclusion to which the Departmental Committee arrived. They examined all the figures, and what did they say? They said in the plainest possible way that they disagreed with the hon. Member. Here were their words—

> "We may remark that we have failed to obtain any evidence which would associate the number of accidents in any disproportionate degree with the hours in excess of eight spent underground by the men, or with the districts in which the longest hours are worked."

Therefore, that Departmental Committee had, having an opportunity of examining all the figures, arrived at a conclusion directly opposed to that at which the hon. Member for Merthyr arrived. He felt that in the face of that, the argument from safety was really utterly unsound. And when they were asked, as they were by the hon. Member for Glamorgan, to look at the human side of the question, was not that a clear intimation to everyone who was opposed to the Bill that he was guilty of inhumanity? He was not surprised that that observation was greeted with a certain amount of impatience by his hon. friends. For what did it amount to? Putting aside the question of safety, what other ground for humanity was there in the Bill? Something was said on that side of the House as to the good health of the miner, and the right hon. Gentleman the Home Secretary had suggested that really the conclusion which the Departmental Committee had arrived at as to the health of the miner, was not altogether sound. But the right hon. Gentleman never suggested that the Bill was likely to make—he would not say the slightest, but a material difference in the health of the miners, at their work. There was no support for that view, and certainly the Departmental Committee arrived at precisely the contrary conclusion. The Departmental Committee, which was an absolutely impartial Committee, took all the evidence possible on this point, and they distinctly said that the health of miners stood exceedingly high compared with the health of those engaged in other trades, and that they saw no reason to suppose that the Bill would increase the healthiness of the coal miner. What else was there to be considered? There was no question of sweating in the case. The right hon. Gentleman said that the Bill would put fresh hope and confidence in the miners. That was very appropriate language when they were dealing with labourers in other industries who were being sweated. But had the coal miners been sweated? Here they had on the one side no doubt a very powerful body of employers, and on the other side an equally powerful body of employees. These latter were grown men, banded together in the most powerful organisation in the country, possessed of great wealth, and as they all knew, to their cost, possessed of great political strength. It was really absurd to ask the House to interfere to save these men from the oppression of their employers. The hon. Member asked them to take a human view of the subject. He quite agreed. He assured him that they above the gangway were not less humanitarian on this subject than hon. Members below the gangway. In his view, if they were to take a human view of the question they must take a larger view. No one doubted that it would be a good thing, and generally it sounded a good thing, if everyone was able to have more money with less work, and in a sense any Bill that proposed to accomplish that object was a human Bill; but they must consider not only the immediate purpose of the measure but its total effect—the effect of the Bill not only on the coal miners but on all the other industrial and domestic interests of the country. It really came to this: would the Bill cause a diminution of output of coal? That was the essential question on the Bill; and here he wished to challenge the hon. Member for Merthyr Tydvil. That hon. Gentleman, with his usual courage, had gone as far as to say that it would not diminish, but rather increase the output per miner; and he cited in support of his view, the case of the East of Scotland. He had given some figures from a relatively small mining district to show that in the past ten years, though the hours worked by miners had become less, the output per miner was greater. But if he had extended his investigations further he would have found that that rule did not apply to other districts of the country. In the West of Scotland, where the hours of work had also been reduced, in 1897, 22,000,000 tons of coal were raised; in 1907, 25,000,000 tons. As to the men employed, in 1897, they numbered 62,000, and in 1907, 77,000. If hon. Members would do a little sum in arithmetic, unless he was much mistaken, they would find that whereas in 1897 the output per miner was something between 350 and 360 tons, in 1907 the output had fallen to between 310 and 320. So that, again, the hon. Member for Merthyr Tydvil's figures did not appear to stand detailed examination. His hon. friend the Member for Dulwich, who was unable to be present that day cited the case of Lanarkshire last week. In that county the output had fallen per man, according to the figures given to him. In 1896, when the coal miners worked a nine hours winding day, the output was 483 tons per man; in 1901, when only eight hours work per day was registered, the output fell to 405 tons per man, or a diminution of rather more than 16 per cent. as opposed to a reduction in the hours of work of 11 per cent. He might go on citing figures for ever without arriving at a perfectly certain conclusion; but he believed that the hon. Member and his friends in their view that the Bill would not diminish output were mistaken. Moreover, there was no question that the whole of the speech of the right hon. Gentleman the Home Secretary, indicated that in his view the Bill would, for a fact, diminish the output per miner, because he talked of the benefit he was going to confer on the miners of Durham and Northumberland by excluding them from the Bill for six months. That also was distinctly the view of the Departmental Committee. He quite agreed that the Departmental Committee did not take the figures that were put before them by the Coal Owners' Association. But the hon. Member for Mansfield on Friday spoke of the great effect which, he said, the Bill would have on the mines in the North. He said that if they excluded Durham and Northumberland for six months from the Bill they would throw the whole coal trade into confusion, because those districts would be able to undersell others in every market. The hon. Member said the difference of 6d. or 4d. per ton was a small amount, but he himself gathered from the evidence of the supporters of the Bill that the change, whatever it was, was going to be enough to give an important commercial advantage to those who were not submitted to the provisions of the Bill. Then, what was the burden of the speech of the hon. Member for Gloucester on Friday? He said they were not dealing with an ordinary trade, but with a trade that had the characteristic of being exceedingly inelastic. What did that mean? It meant that the ordinary influences which caused an increase or a diminution in production in a particular trade did not operate in any slight degree in the case of the coal trade but remained very much the same. In spite of depression the output remained very much the same, but he knew, and they all knew, that although the output remained the same the price varied very considerably. And what was the inference that he drew from that? It meant an enormous alteration in the trade; whether it was in the direction of cutting down demand or reducing output it would produce an enormous effect upon the price of the article produced. That seemed to him to be all the more valuable because it was an opinion given by an hon. Gentleman whose opinion on this subject was second to none in the House, and an hon. Gentleman who was favourable to the Bill. What was the conclusion from that that any impartial man must draw? Why, that the Bill would diminish the output and increase the cost of production. Using to the full the observation of the hon. Member for Gloucester, he said boldly—he was not going to prophesy what the exact rise of price would be, he did not think anyone could do that—but he did say with great confidence that in a trade of this kind an increase in the cost of production might mean a rise in price altogether out of proportion to the increase of cost of production. That seemed to him, if they had any knowledge of economic science, to be the conclusion that they could safely come to. The hon. Member for Hanley, who was in a position of great responsibility with regard to this Bill, said they were told that if they got an Eight Hours Bill they would get a rise in the price of coal of 5s. a ton. That was on 6th October; he said he did not know how much that rise of price would be, and another thing, he did not care. He had not met anybody yet who was sufficiently informed to tell them what might be the increase. The hon. Member said he did not care. That was the attitude of hon. Members below the gangway. Supposing they were dealing not with the case of coal, but with the case of bread, and supposing, in passing some measure, a statesman were told that the effect of his proposal would be greatly to raise the price of bread, and he were to reply: "I don't know whether it will, and I don't very greatly care," what an outcry there would be from the benches opposite. How they would say: "Look at this reckless plutocrat who cares nothing for the sufferings of the poor, and who has only in view the gains and the earnings of one particular class." Yes, but if a Labour Leader said that, they were not allowed to make those comments; they were told that he was acting from the highest and most disinterested motives. There could be no question, let them not conceal it from themselves for a moment, that if the phrase was applicable to any Bill at all, this Bill might be defined as class legislation. They heard a great deal in the last Parliament of doles to classes, but if there ever was a dole to a class this was one. He confessed that, holding that view about the Bill, his difficulty had been to assign any respectable reason why a responsible Government should have brought forward such a measure. The Home Secretary, with more than his usual pathos, said the presentment of this Bill was not merely a discharge of a political obligation, by which delicate words he understood him to mean that he was not merely attempting to catch votes; but if he was not doing that he did not know what he was doing. Did anyone suppose that the Bill would have been brought forward or pressed forward by the Government if the Miners' Federation did not command a large electoral force? It was not a Bill to protect a small and struggling class; it was not a Bill to save some wretched workers from the oppression of their employers; it was a Bill to confer a benefit upon people who were perfectly well able to protect themselves. The only reason why the Bill was brought forward, and this absolute disregard of the industrial interests of the country had been shown, and the harm which the Bill might inflict put on one side, was that the Government knew that if the Bill did not pass it would not have the least hope of retaining the votes given to it by the mining constituencies. It was for that reason, and because he regarded the Bill as a degradation of the legislative work of this Parliament, that he ventured to move that it be read a third time that day three months.

Viscount CASTLEREAGH (Maidstone) said he desired to second the Motion so ably brought forward by the noble Lord behind him, and from the comprehensive manner in which he had covered the field he felt that there was no need for him to go into those details which they had discussed in the House to such a great extent, and he would confine himself to the principles of the Bill. They had reached the closing stage of this measure, and he supposed it would go to another place for acceptance or rejection. What he should like to know were the recommendations with which it would go up to that House. They would be told that it had been received by the united support of the great majority of the representatives of the people of the country. He ventured to disagree with that suggestion entirely. This measure had been passed by an alliance between the Government and hon. Gentlemen below the gangway. An enormous majority would follow the Government into the lobby knowing nothing of the merits of the Bill. They would then see two right hon. Gentlemen on the front bench opposite and very few behind them, and he thought it was pretty obvious that the all unwilling dog was being wagged by the all powerful tail, and when hon.

Gentlemen went into the lobby they would go absolutely regardless of the effects of the measure. Hon. Members below the gangway, however, knew exactly what they were about, and they were looking upon the Bill with the greatest possible pleasure for the purpose of bringing about that eight-hours day for which they had been working for twenty-one years, and perhaps it was a curious thing that the entry of the measure into Parliament was coincident with the birth of that new trade unionism which they knew had been dominated throughout by the Socialistic idea. It was also true that a great many of the Labour leaders were entirely opposed to the measure, and there were Labour leaders in the House, who had spoken and fought against it. What was the hypnotic influence by which they had been induced — he could not think to alter their opinions, but certainly to vote contrary to those opinions which they had always held up to now? This measure had been passed through the House accompanied by academic discussions, and he for one looked with great suspicion upon debates of that character, because if they were carried on often enough, as in this case, they saw a measure carried by the persistence of hon. Gentlemen below the gangway. He had been found fault with by the Home Secretary for an assertion to the effect that this was the first real measure that had been brought into the House for the purpose of curtailing male adult labour in this country. He ventured to repeat that assertion, and he would establish its correctness by saying that the two measures relied on by hon. Gentlemen opposite, the Coal Mines Regulation Act of 1893 and the Shop Hours Act of 1904, offered no analogy whatsoever. Let him take the Coal Mines Regulation Act of 1893. He knew perfectly well that hours were curtailed there, and for what reason? For the purpose of safeguarding the lives of passengers who travelled by railway. Could that measure be brought forward as an analogy when they knew perfectly well that these men, signalmen and engine-drivers, were engaged at work holding the lives of persons travelling in express trains especially in the hollow of their hands? Could this measure be brought into comparison in any sense of the word with the case of miners working underground and under no mental strain? [Cries of "Oh!"] Would hon. Members say that a miner who hewed coal was for a great part of the time exercising his brain in that way? [Cries of "Yes."] He ventured to disagree. Then he would take the Shop Hours Bill of 1904. That was voluntary and was limited to closing shops, and had no regard to the hours of employment. It was possible under it for the employer to keep men at work after his shop had closed. Therefore, neither of those measures could be looked upon as a precedent for curtailing the hours of adult labour in this country. What was actually the object of the Bill? And this was what he wanted to bring before hon. Members opposite. The object of the Bill was to lay the foundation by precedent for enforcing by legislative action an eight-hours day in every industry in the country. He thought too, they must attach the greatest significance to this—that it was noticeable that there had been far greater interest outside the House in this measure during the time that it had been before them in Committee and on the Report stage, and it was obvious that people were beginning to understand the aim and object of this unwarrantable interference with the rights of a portion of the people. He thought the argument which the noble Lord had put forward in regard to what they might call the humanitarian point of view had been convincing, and they might claim that that point of view had fallen to the ground even if there was anything to be said for it in times gone by. This was probably due to the fact that improvements had been brought about in appliances in mines through which the workman was exhausted less than before. At the present moment he ventured to say that there was not a single Member opposite would dare to go down to his constituency and put forward the humanitarian argument which was advanced in the House of Commons and repeated from Radical platforms for the purpose of furnishing perorations to speeches in the country. They knew very well that the health of the miners compared very favourably with the health of those engaged in other industries. Surely the provisions that had been brought into the Bill for the purpose of avoiding evasions were very significant. They were a very striking feature of this Bill. The men whom the Bill was to benefit, they understood, were to be hounded out of the mine whenever they should stay a few minutes more than they ought to stay in the opinion of their friends in the House of Commons; and if those men did stay a few minutes longer, and their employer could be proved to be cognisant of the fact, then he was to be guilty of an indictable offence. The idea that the Bill was put forward on humanitarian grounds was an absolute fallacy. The argument had been put to the miners in quite a different way. It had been put to them that they would have a higher rate of wages and do less work. There was such a thing as human nature, and although it might not be a very laudable characteristic of mankind there were very few who would be able to withstand the temptation to support the Bill if they were told that they would do less work and get more money for it. But if the Bill was made the subject of a referendum to the miners and it was put to them that there was to be less work and therefore they would earn less wages, it would be found that there was a very large majority in favour of continuing as they were now going on. With regard to the conspiracy of silence to which they had been subjected by hon. Members below the gangway during the debates on the Bill, he would like to ask: was that conspiracy of silence to be broken that afternoon? If it was, let him put one or two specific questions to which he would like a reply. The first question was this: was it only on humanitarian grounds that they were pressing this Bill forward? The second was: had they ever informed the miners that they were going to do less work and receive a higher wage? And the third, whether they would support the proposition that all labour in this country should be reduced to working only eight hours a day. There might be some argument in favour of working five days a week, but he did not think that hon. Members below the gangway would support such a suggestion as that, because that would necessitate some latitude being given, and they had opposed any latitude whatever or any departure from the rigidity of the Bill. But he submitted that five days a week for mining would be a far better condition of work than a rigid eight-hours day. A good deal of time was lost going to and fro, and surely it was better when a man was at his work that he should be allowed to work a few hours longer than to be stopped at the end of eight hours. He had one good authority for that suggestion. It was well-known that at the Tredegar Mines a resolution was passed by the miners for the purpose of forwarding a petition to the employer to allow them to work a quarter of an hour extra on four days a week with the condition that on one day of the week their work should be reduced by one hour. That was considered by the employers, and they refused to accede to it, because they believed that this Bill would pass, and that the days the miners proposed to lengthen would be shortened, and the day they proposed to shorten would be lengthened.

Mr. MARKHAM said he was interested in the Tredegar Collieries and he could only say that there was absolutely no proof for the latter part of the statement the hon. Member had just made.

Viscount CASTLEREAGH was glad the hon. Member had spoken. He would have an opportunity of giving his views later. He could only say that he believed everything he had said was absolutely correct. He would like to draw the attention of hon. Members opposite to the provision for postponing the full operation of the Bill for five years, and enacting that during those five years two windings should be excluded. This was done by the right hon. Gentleman, as he said, in the interests of safety. It was certainly a novel form of legislation to enact that the successors of the right hon. Gentleman—and he presumed he would have successors in the next five years—should be bound to carry forward what this House has laid down. Surely it must be an object of speculation, but the right hon. Gentleman was convinced that the march of invention would be so great that appliances would be invented during this period that would justify the provisions of the Bill. There was one other point to which he would like to refer. There was the individual who owned two pits and the individual who owned two seams in one pit. Surely it was very hard that the individual who owned two pits should have an extension of sixty hours in each pit and he who owned two seams in one pit should only have the extension of sixty hours divided between the two seams. He had not touched on the measure from the economic point of view. If it was true that the work was injurious or even deleterious to the health of the miners underground he would be the first to say that no work should go on underground at all. But that had never been and could not be proved, and if it was not injurious or deleterious to the health of the miners to work in the mines under present conditions then no condemnation could be strong enough to be meted out to the Government who brought in such a Bill as this. The output would be decreased, that was admitted, and every individual industry in the country would be hampered and handicapped in the competition of the world, and every consumer would be put to inconvenience and expense. That being so he did not think the Government was justified in inflicting such a hardship on the community. He had ventured to make his protest, and would now make an appeal to hon. Gentlemen opposite. He appealed to them to consider the Bill on its merits and before going into the Lobby to consider exactly what they were voting for. They were establishing a precedent which was bound to be acted on as years went by. He believed that hon. Members opposite were all returned to Parliament as free traders. Was it a free trade argument that they should hamper and handicap the source of all our industries and hinder them in their competition with foreigners over the seas? He should like to ask whether Mr. Cobden, the patron saint of hon. Gentlemen opposite, would have supported this measure? He thought not. He ventured to think that he would have been consistent and would have opposed it in every possible way. He did not know whether it was any use making an appeal to the most subservient majority that ever answered the summons of a party whip, and he would, therefore, content himself by seconding the noble Lord's Motion for the rejection of the Bill.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Lord Robert Cecil*).

Question proposed, "That the word 'now' stand part of the Question."

*MR. E. EDWARDS (Hanley) said that on Friday he ventured to put the views of the Miners' Federation before the House upon this question. He had listened with considerable interest to the noble Lord who moved the rejection of the Bill, and had noted that the noble Lord had honoured him by quoting a speech which he had delivered at Chester in connection with the increased price of coal. If the noble Lord had had before him the addresses which he had continuously delivered upon this subject, he would have observed that he had continuously dissociated himself from those who said that there would be no increase in cost as the result of the Bill. He had always endeavoured to make it plain that in his opinion there must be some increase in the cost. But it was nonsense to say that the increase would be 4s. or 5s. a ton. That he absolutely denied. As a matter of fact, he had been engaged for some time in meeting the objections to the increased cost. They now heard that the great objection was the increased cost, and many of those who had urged that objection were gentlemen not familiar with mining though they might have been prompted by those who had knowledge on the matter. Many mistakes had in consequence been made which he would like to correct lest they should remain on the minds of those who had taken an interest in the debates of last week. Those objections had been urged, as he had said, by hon. Members knowing nothing about mining or the methods by which the work was carried on in the mines. They had been asked, Why not allow a man to work as long as he liked, or as short hours as he liked. That was where the ignorance of hon. Members was shown. When they were dealing with a coal mine and with people working underground they must deal with the men in one block. Mines had a general set of rules. A coal mine was not a factory to which a man might go to work at any time or come away at any time. The collier must observe the rules, and he could not either go down the pit or leave the pit save at stated times under the rules. Hon. Members must be aware that the arrangements of a colliery had to be made with due regard to the regulations imposed by the law, and that this was done in the interests and the safety of the men's lives. Therefore, it would readily be seen that a miner could not go down the mine or leave the mine at any time he chose, and it was for this reason that for years miners had been asking for a Bill which should not require their being underground for more than eight hours a day. The noble Lord opposite suggested that this Bill asking for a miners' eight hours day was preliminary to a demand for a general eight hours day all over the country. So far as he knew, this was a miners' Bill and a miners' Bill only. It was the Bill for which miners had been asking for twenty years, and in all that time there had been no suggestion for a general eight-hours day. The claim made now under this Bill was very much what it was when brought forward twenty years ago. It might be said that there was nothing new in it compared with the first demands. The miners asked for this eight-hours day because they were miners, and because, being miners, they worked under conditions unknown to any other trade of the country. The miner lived the greater part of his life buried away from the world and from what went on in it, and considering the conditions under which he had to labour, he ought not to be asked to spend the greater part of his life underground, away from the surroundings of daily life. The sacrifices the miner was called upon to make were very great, and it was on that ground that there was a strong feeling in support of this Eight Hours Bill. When they came to realise all the dangers which beset the calling of the miner they would see that eight hours underground was long enough for any person to work. So far as the miner was concerned, as he had already said, they had for many years urged that eight hours from bank to bank was quite long enough. They had been reminded of the difference on this question which existed between Northumberland and Durham and the Midlands, South Wales, and Scotland. Everybody knew that it had not been necessary to refer to the speeches of the hon. Member for Morpeth or the hon. Member for Wansbeck, for they all knew that at one time they entered the division lobby in opposition to the Eight Hours Bill. He did not dispute that there was this difference, and that the representatives of the Northumberland and Durham miners did record their votes against the previous Bill; but they would not vote against the Third Reading to-day; they would go into the division lobby in favour of it, because the miners in the north of England were members of the Miners' Federation. [Opposition cheers.] He was pleased to hear those cheers, because they marked the fact that they were now a friendly combination, and they knew that the miners of the North of England, through their representatives, would show their loyalty on this question. He would like to remind hon. Members on the opposite side of the House, who had had so much to say in regard to the speeches of his right hon. friend the Member for Morpeth, that those speeches had not gone, he thought, to the length of some of the speeches made by hon. Members in that House in opposition to the Eight Hours Bill. His right hon. friend the Member for Morpeth had already felt, as many of them had felt, that the unfortunate position taken up by the miners of the North of England in regard to the eight hours question was largely caused by the number of boys who were kept underground for long hours, day in and day out. The miners' conference and the miners of the country desired to reduce those hours for boys from one end of the kingdom to another, and it was because of that position that the Miners' Federation undertook to press this Bill upon the House in season and out of season. During the last twenty years some of the best of hon. Members on the other side of the House had given their support to the Bill, and he expected they would find a number of them supporting the Third Reading to-night. During the discussion it had been said that no effort had been made by the workmen to settle the question of an eight-hours day between themselves and their employers. He might say that during seventeen or eighteen years several efforts had been made to bring about a general agreement between the coal owners and themselves. They had never been able, so far as he knew, to include in those interviews the coal owners from Durham and Northumberland. Otherwise the rest of the United Kingdom and Scotland and Wales in the early part of this year had a settlement offered by the coal owners, but in that case, and at no time, had they the support of the North of England. Then the question was asked, and it was one of those questions which he had never been able to understand, and he had not met anybody in the House or out of it who did understand it, namely, what would be the increased cost of coal caused by an eight-hours day? He did not know, and he had not found anybody who thought he knew. He realised there might be a higher price after the Bill came into operation, but when they considered in these days the improved facilities for getting coal to bank, and the numerous means of expediting the operations in the mines, he personally did not anticipate that there was going to be any serious difference in the price. Looking at the Bill now as it stood, he found that there were in it limitations which were rather dangerous. Although they loyally supported the Bill, he suggested that there were limitations in it of which the miners had never been enamoured. Nevertheless, they accepted the Bill, which affirmed the principle of an eight-hours day from bank to bank. The proposals of this measure came very near those in the modified Bill which they introduced, and he hoped that the present Bill would go through the House, and also through another place, without serious alteration or serious opposition. He believed when the Bill came into operation they would find a very cordial desire on the part of the federated and non-federated districts and the coal owners to make this Bill effective and practicable. It might arouse some opposition, and he was satisfied that the concentrated wisdom that was manifested in those great gatherings between employers and employed would find a solution which would enable the Bill to be carried out without damaging the interests of any other trade in the country, and it would be welcomed by the miners throughout the land as one of the best steps ever taken by Parliament in the interests of that class.

Mr. RUSSELL REA (Gloucester) congratulated those hon. Members who represented the miners on the completeness of their victory in passing this Bill through the House. The Bill, when it came into full operation, would establish, not a nominal, but a real and actual eight-hours day from bank to bank for the average individual miner. From the moment he stepped into the cage to descend into the dark under-world, to the moment he stepped out of the cage into the sunshine on the pit brow, would be neither more nor less than eight hours. He was surprised to find that this was not clearly understood even yet outside the House, and by some Members of it. He had carefully defined such a day in the Report as a day with one winding of men included, and one winding excluded. Under it the first man to descend would descend half an hour before the statutory eight hours began, for the first winding was excluded; if he was the first man to ascend, he would ascend half an hour before the statutory eight hours ended, for the second winding was included. If he was the last man to descend, he would descend at the stroke of the beginning of the eight hours period; and if he was also the last to ascend he would ascend at the stroke of the end of that period. The middle man would descend a quarter of an hour earlier than the beginning, and ascend a quarter of an hour before the end. It was true the first man down, if the last man up, might be down eight and a half hours. It was also true that the last man down, if the first up, would be down only seven and a half hours. If it were possible, as it was not possible, for the men to come up in the same order in which they went down, every individual man would have been under ground from bank to bank for eight hours, neither more nor less. And that was as near to the ideal of a perfect eight-hours day as could be reached so long as men had to descend into coal pits by shafts. This was the eight-hours day he had always supported, and would again support by his vote that day. But in so doing he was expressing his own individual opinion on the principle of the Bill. He did not profess to be expressing the opinion of the Committee. But their opinion on the merits of the question was not asked, and it was not given. Had this question been submitted to them, he was bound to say their Report would not have been a unanimous one. But although the object and ultimate effect of the Bill were what he desired, and for that reason he should vote for the Third Reading, yet he did not profess to be satisfied with all its provisions. However beneficent the revolution might be, it was a revolution; and a revolution might be either a peaceful and orderly revolution, or a violent and destructive revolution. They all desired that this revolution should be of the first kind, and not only that opposing forces should not enter into conflict, but that non-combatants should not suffer. He could not but think the Government had been over-sanguine in its estimate of the difficulties of the period of transition, and rash in not providing a more carefully graduated scheme. It would be useless to repeat now the arguments he had used in the House and out of it in favour of a more cautious procedure. He might be forgiven if he said of himself that he did not speak as an armchair chairman of a Committee, but from a life-long commercial experience, not as a coal owner or miner, but as a coal distributor on a tolerably extensive scale, and as a member of a firm which hour by hour, tide by tide, had its finger upon the pulse of production and demand, especially in the districts of South Wales and Lancashire. And if the Bill became law in the precise form in which it left the House, he should watch the earlier stages of its operation with considerable anxiety and apprehension.

MR. LAMBTON (Durham, S.E.) said the support that the hon. Member who had just spoken had given to the Bill did not seem to him to be a very hearty one. He looked with anxiety on its effects, even in the coalfields of Wales and Lancashire. He told them he objected to the exemption for six months of Northumberland and Durham, although he told them the Bill would produce a revolution and reorganisation of the coal trade from top to bottom, and that it would mean a re-shuffling of the cards. In fact, he looked with a light heart on this gamble with the coal of Northumberland and Durham. But he had some misapprehension in the case of Liverpool where they used Welsh coal. A great many hon. Members opposite seemed to object to the exemption of Durham and Northumberland for six months, and the hon. Member for Hanley rather upbraided some of the coalmining Members for Durham and Northumberland, who had in the past opposed the Bill, and said he was quite certain they would be loyal to the Federation and support the measure. He was sure they would be loyal, and they were going to vote for the Bill simply out of loyalty to the Federation, and not because they liked the Bill, or because the miners in Northumberland and Durham desired them to vote for it. That was, he thought, a well-known fact. He would not taunt his hon. friends with any change of opinion. They were quite capable of expressing their opinions in that House, and they were highly respected there. When the hon. Member for Hanley told them the Federation had always had this Eight-Hours Bill before their minds, they were federated to mines in other parts of the country, and they would have been able to arrange with their employers for an eight-hours day if it had not been that the employers of Northumberland and Durham stood out, why could not they make their own arrangements without bothering about Northumberland and Durham? It simply meant that an eight-hours day, if arranged on voluntary terms instead of being enforced by Act of Parliament, would so reduce their output and increase their cost that they would not have been able to compete successfully in the markets of the world with Northumberland and Durham. That was the reason why the hon. Member for Mansfield was so hostile to the claims of Northumberland and Durham. He let the cat out of the bag the other day. He said the coal owner of Yorkshire would have to compete on disadvantageous terms with Northumberland and Durham. It was well known to the House that the men there worked less than eight hours a day and the boys longer. That was always held up as a most inhumane arrangement, but after all, the boys in Durham and Northumberland did not work longer hours than boys in other parts of the country. If they did work too long hours—he did not know whether all hon. Members opposite thought these boys of Northumberland and Durham were so badly treated—it was the business of Parliament to step in and protect them. Was the Home Secretary of opinion that the boys in Northumberland and Durham worked too long, and that their hours ought to be restricted by Act of Parliament, and had he been long of that opinion? He had been in office three years. Why had he not brought in a Bill in those three years respecting the hours of boy labour in mines? Why did he wait to bring in a Bill to restrict adult labour? He shook his head, but he (Mr. Lambton) had been taunted with belonging to a class which was inhumane towards the boys of Northumberland and Durham. He should like to see all the boys work less than eight hours. When hon. Members taunted them with inhumanity why had not they brought in a Bill long before to restrict the labour of juveniles in the mines? The only answer was that the boys had not votes, and they did not think it worth while. He hoped they had heard the last of inhumanity. On the question of diminishing boy labour, it was not such a simple matter as it appeared to be. He thought the hon. Members for Morpeth and Wansbeck would like to see the hours of boys shortened, but they did not think they had done them any particular harm. He thought at present, about 11 per cent. of the boys in these districts were under sixteen. If they had three shifts of eight hours and two of ten, he presumed a greater number of boys would have to be employed. Would they all be able to rise to the position of hewers in a few years as they did now, or would they when they had served to the age of seventeen or eighteen be cast adrift in the world with no employment at all? That seemed to him a considerable danger. If the hon. Member for Leicester was there he would ask him what his opinion on that point was, because he noticed a communication in *The Times* that morning signed by him, pointing out the extreme danger of bringing up boys in casual employment and turning them adrift at about seventeen or eighteen. He would like the right hon. Gentleman to be sure that he was not going to introduce that danger into the coalfields of Durham and Northumberland. But he objected altogether to interference with adult labour. If they objected to boys working long hours let them bring in a Boys Bill, but what right had they to dictate to a man the hours he should work? Why should they tell him he must make his living in six days of eight hours instead of four or five of longer hours? It was absolutely absurd to interfere with the right of grown-up men to dispose of their labour. If they wanted to make the Bill a reality, and he did not believe the ostensible supporters of the Bill were in favour of it, they ought to give the miners of the country the choice of adopting or rejecting the Bill. They ought to accept some contracting-out clause. The hon. Member for Mansfield did not like that much. It would take away some of the profit he would make.

MR. MARKHAM: That is not quite fair. You are going to put a burden on Yorkshire, Derbyshire, and Nottingham coalowners. It should apply all round.

MR. LAMBTON: I have no wish to be at all unfair.

MR. MARKHAM: I said the argument was unfair. I did not say the hon. Member was unfair.

MR. LAMBTON said he did not want to put a burden on anyone, but the Bill would impose a burden all round, and he wanted to prevent, as far as he could, his own constituency suffering under the burden. But this must be a burden. He dared say it would not be a burden to the coalowner or the collier, because they could put the increased cost of the measure upon the consumer, And perhaps the manufacturer would not suffer; he also would be able to pass his cost on to the consumer. But what would be the case of the unhappy consumer himself? He would not be able to pass it on to anyone; he would have to pay an immensely enhanced price for his coal, and would receive no benefit whatever. The Bill is one of the most protective measures that had been introduced. Pure protection was what the hon. Member for Mansfield asked. He said he could not compete with the free trade of Northumberland and Durham, and must have protection, and he was an orthodox free trader. That was not his sort of free trade. He had endeavoured to point out the extreme danger of the handicap they were placing upon the industries of the country in regard to the export trade. Manufacturers for the home market might pass their extra cost on to the unfortunate consumer. But what about the export coal trade of Northumberland, and what about the manufacturers who would produce at an enhanced cost for export? Would they be able to hold their own in the markets of the world? They would have the strongest case in the world for demanding protection, and they would demand it, and yet a free trade Government brought in a measure of this sort. It was one of the most anomalous Bills he had ever seen brought into Parliament. The right hon. Gentleman smiled. He had told them himself he did not know what the cost would be. He had acknowledged that in a few years it would be very great. Now he shook his head and said "No," but in the speech he had made less than an hour ago he said there would be a reorganisation in the first five years, and the hon. Member for Gloucester said it meant a re-shuffling and re-organisation of the trade from top to bottom. There was not the slightest doubt, more especially after the speech to which they had just listened, that the effect of the Bill would be greatly to increase the price of coal. It had already been pointed out that this powerful federation desired to increase its force because it knew it was dealing with a weak-kneed Government. He hoped the House did not imagine that this was going to be the last Eight Hours Bill. Not one single argument of any weight had yet been advanced by the Government in support of the Bill; they were working quite in the dark. During its passage through the House the Bill had never been adequately defended. Surely before such a measure was passed there ought to have been some much more powerful advocacy of the real reasons for its introduction He had no hesitation in saying that not one of the arguments used in favour of this Bill would hold water. He wondered why the hon. Member for the Mansfield division had not introduced into his own collieries this system of eight hours without coming into Parliament to force men to work eight hours who desired to work longer. The Bill was a form of tyranny which he hoped would not be repeated.

*MR. WALSH (Lancashire, Ince): An appeal was made by the noble Lord who seconded the Motion suggesting that those sitting on the Labour bench might break the conspiracy of silence into which he imagined a number of hon. Members below the gangway had entered. He was quite sure that the noble Lord knew the reason for their silence, namely, that they desired to save this measure, and to be free from any responsibility for strangling it themselves. Consequently it was absolutely necessary for them to remain silent, as the procedure in the House was calculated to hasten the death of Bills unless they knew the golden value of silence. The noble Lord the Member for Marylebone made one statement in which he said the central question was, would this Bill diminish the output of coal. He did not believe that the central question was the economic question at all. His opinion was that the central question was a great moral and social one. Notwithstanding what hon. Members who were opposed to this measure had stated he claimed that the Bill had always been put forward by the Miners' Federation, and for many years before that federation was formed, upon the broad ground of the moral and social betterment of the people engaged in the mines. So great were the material considerations, so vast was the number of people employed, so great was the amount of capital invested, and so enormous were the number of people dependent directly and indirectly upon the fruits of this industry, that, of course, the economic question must be one of very great importance and they could not under-rate its importance. He would assume for the moment that the noble Lord was right in saying that the central question was, would the Bill diminish the output of coal. He said emphatically that it would not diminish the output, and he said that because every mining engineer in the country knew that the resources of the mines were not by any means utilised to their fullest capacity, and by a better manipulation of the resources of the mines, by better transit arrangements in the mines, they were confident that the output of the mines would not be diminished by the operation of the Bill.

Sir F. BANBURY (City of London): Does the hon. Member remember a speech which he made on this question in 1908?

*Mr. WALSH said he would come to that point a little later on if the hon. Baronet would remain silent. The fear that the output would be diminished had been constantly put forward and had been as constantly falsified; for the last twenty-five years the production of the mines had increased year after year in unbroken succession, and inasmuch as the ingenuity of the people engaged in the management of mines was day after day engaged in putting down stronger plant, larger engines, wider shafts, developing the resources inside and outside of the mines, there was not the slightest fear that human ingenuity and skill would find itself more than able to cope with any slight decrease in the output caused by the passing of the Bill. It was said that there would be great danger to life involved because of the increased hurry that would result from the passing of this measure. He desired to point out that the districts with the shortest hours not only possessed the greatest winding capacity, but they also had the credit of having the smallest ratio of accidents to life and limb. Take, for example, the counties of Durham and Northumberland. Taking Durham alone, which was the greatest mining county in the kingdom, they found there the greatest productive capacity for winding and the greatest amount of coal produced of any county in the kingdom, and yet there they had the shortest hours of labour and the cleanest accident record. [An Hon. Member: Yes, and that without an Act of Parliament.] Yes, he was aware of that, and he was simply speaking of the fact that there they had a great mining county, the greatest in the kingdom, which put out the greatest amount of mineral, and yet had the shortest hours of work and the cleanest accident bill of any mining district in the kingdom. Now if there was any real force in the objection that greater accidents would result from this measure, they certainly ought to think once, twice, and more than thrice even, before those who were, after all, directly responsible for the men and their welfare, thought of pressing such a measure as this upon the attention of Parliament. If they thought this would lead to an increase of danger to human life, could it be imagined that they would press forward such a proposal at all, especially in view of the fact that some of them were in the direct pay of the men, and that they were in close contact with them day after day. But leaving out altogether the individual argument as to what they would or would not do, the facts themelves told against the contention that shorter hours of labour meant a greater number of accidents to life and limb. Again it was said that if it did not increase the number of accidents to life and limb, it would undoubtedly lessen the individual output. Here again the concrete fact was testified to by every mining county in the kingdom that where the shorter hours of labour existed there the individual output was the greatest. [OPPOSITION cries of "No" and "Quote."] He was not going to quote figures now, because he quoted them last year and they had been frequently quoted in the debate. What was more, the Blue-books were at the disposal of every hon. Member, and he again asserted that the figures proved that the result of increased efficiency within the mines, and the greater human efficiency of the men, was that shorter hours not only did not lessen the output, but substantially increased it. Again he took up this argument that accidents would increase and the output diminish. He said that those two contentions were completely demolished by the facts as they existed to-day. He would like to point out that in this case not only had the miners a good claim for shorter hours of labour, but in many counties, notwithstanding the great increase in the productive capacity of the mines and those employed in the mines, not only had that productive capacity not brought a corresponding relaxation in the hours of labour, but in some cases the pits were working a longer working day than ever before. In Lancashire it was perfectly true that in some parts of the south-west and south-east of that county many of the youths and the men employed in winter hardly ever saw the light of day. He had never been quite able to understand why it was perfectly proper for Parliament to legislate for a boy up to the age of sixteen, but the very day after he reached that age he had to be left to his own individual resources. Between the age of sixteen and twenty-one was the time, above all others, during which that young fellow's career should be guided, because incidentally the fortune of the State of which he formed an individual part was affected. It was their duty to develop the physical qualities of these youths and see that their intellectual prospects did not suffer. They had a right to have a fair opportunity of shaping and carving out their own future. That was certainly their right. When these youths were engaged in the mines, as they often were, soon after five o'clock in the morning until between five and six at night, what possible opportunity could there be for those young lives becoming that valuable factor in the assets of the nation which they were all desirous of making them? It was on those grounds that they pressed forward this Bill. He had never spoken at any meeting which he had addressed for the last twenty-five years without insisting that these were the broad grounds on which such a Bill as this ought to be argued. There was the argument of fear which had been put forward by the noble Lord that this was only the beginning, so to speak, of a long succession of calamities. Fear did possess the minds of most of them some time or other, but he thought that in connection with this measure it might be banished. Hon. Members who opposed the Bill said that it ought not to pass the Third Reading, and that if it did it ought to meet with a miserable fate elsewhere, because of some Socialistic bogey which was to uprear its head. Their attitude reminded him of the lines of Coleridge—

> "Like one who in an entry dark
> Doth fear to turn his head,
> Because he thinks a frightful fiend
> Doth close behind him tread."

There was no frightful fiend going to follow the passing of this Bill. Not at all. It had for its purpose the amelioration of a class who as a whole were, he thought, as deserving as any other class in the nation—a class who were subjected to conditions of labour which were utterly unknown in any other industry. It was for them he and his friends asked the House to pass this Bill. They believed that employers and employed, when once the State had expressed its mind, would combine in introducing for the benefit of the people directly engaged in the industry those changes which were required, and they believed that the best results would be brought out of the Bill. They were certain that nothing serious could happen to the State, and that the poor consumer had nothing to fear. Reference had been made to a speech which he delivered six or eight months ago at the conference of the Miners' Federation. There were reporters present at the meeting, and no doubt they took down as quickly as they could the words which he used on that occasion. He wanted to get away from the statement which the papers represented him as having made. First of all, let it be remembered that they were dealing with a furious and violent agitation, and that a body had just come upon the field armed *cap-à-pie* called the Coal Consumers' League. At that time a distinguished member of this Government experienced some change and vicissitude of fortune at a particular election. It was said by the representatives of that league that if the Eight Hours Bill were passed coal would not only cost the consumer more, but that it would cost 5s. per ton extra. At the conference which was held after that statement was made he took out the figures for the actual hewing rates paid to colliers and their mates—the men engaged in hewing coal and in drawing it. He took the actual tonnage rates paid at forty-eight of the best-paid collieries in South-West Lancashire. The actual tonnage rate paid at the time came to 2s. 8d. per ton, and that was a time when wages were at their highest and when the average working day was about nine hours and a half. Supposing broadly that the collier would receive 1s. 6d. per ton, and the drawer 1s. 2d. per ton, here was the point which he wished to emphasise to the conference. If the average working day in a large portion of South-West Lancashire was nine and a half hours, the collier was receiving something like twopence per ton, and if they knocked an hour and a half per day off the working hours the effect would be to increase the actual hewing cost by anything from 4d. to 6d. per ton, taking all classes of labour underground. He put that forward at the conference in order to show how utterly hollow and insincere, or, if not hollow and insincere, how utterly ignorant of the facts, must be those who were engaged in the agitation against the Bill when they put forward the contention that 5s. would be the probable increase in the cost to the poor consumer. He went on to remark that the increase in the cost which he had indicated was estimated on the assumption that there were no changes underground or on the surface and that neither the workmen nor the employers would set themselves to deal with the new condition of things. But to assume that the men working in the mines would take that course was to assume that the men were not careful of their own interests, and that they were simply vacuous. He did not think anyone would put forward that argument. He said that both employers and employed would set themselves to face the new conditions and that the industry would be regulated with due regard to their economic effects. There was to-day constant abstention from work. A man who had worked a long day often abstained from working altogether on the following day, but if the hours of labour were so regulated that a man need not leave his work one day in the last stage of physical exhaustion and, therefore, be incapable of work the following day—if by this measure his hours of labour were so regulated that he would be able to work with greater regularity than had hitherto been the case, a great advantage would be gained.

SIR F. BANBURY: What the hon. Member said was, that if the Bill becomes law the cost of production will be raised an eighth or a ninth, and that a higher rate per ton would be charged to the consumer in order to compensate for the limitation of hours.

*MR. WALSH said he did not see anything in that. He might remind the hon. Member of the latter part of his speech which he had not read out at all. He stated that the estimate which he gave to the conference was based on the assumption that neither the workmen nor the employers did anything to introduce altered conditions in the working of the mines. Surely there would be notice taken of the altered conditions brought about by this Bill. What was an eighth of 2s. 8d.? Well, it was 4d. The noble Lord, the Member for East Marylebone, said he was not much of an arithmetician, but even he could manage that point. What he wished to impress upon the public at the time was the danger of being misled by the wild, whirling agitation which was being brought against this measure. The arguments against the Bill had been reasoned out in Committee upstairs and in the House, but amongst the arguments which had been adduced in opposition to the measure the statement which was made by the Coal Consumers' League as to the cost being increased by 5s. per ton had not been put forward. No one had dared to repeat that argument here. He hoped this Bill would pass the Third Reading. He believed it was a measure which would make for the great moral and social betterment of an enormous number of His Majesty's subjects. It would not only give great satisfaction to the people who were to receive immediate and direct benefit, but he believed that if the Bill passed every man who had given his vote for it would in years not far ahead look back with satisfaction to the vote he gave as one of the best actions he had ever performed in the House. He believed that a brighter day ought to dawn for the miners of the country. They would be better able to take advantage of the intellectual and physical advantages which would then be within their reach. They appealed to parents to allow their children to attend continuation schools and evening classes in order that they might obtain wider knowledge of trades and handicrafts so that they might not become unemployed in after-years. If their youths were down in the mines for long hours, the evening classes would remain the absolute failure they were at the present moment. It might be said that they were not kept down in the mines. Every colliery manager knew that that was not the case. Every colliery manager knew perfectly well that the men must be kept down in the mines a definite number of hours per day, and that they must be dealt with not individually but *en bloc*. It was especially in the interests of the young that they made this appeal, and he sincerely hoped that the House would give a Third Reading to the Bill by an enormous majority.

*MR. BECK (Cambridgeshire, Wisbech) said the speech to which they had listened might be taken as representative of the arguments which had been used in favour of the Bill. It was more eloquent than some of the speeches they had listened to, but not more logical. His hon. friend closed his speech with an appeal on behalf of the young lives in the mines. For his part, if the Bill had been produced to regulate the hours of those under twenty-one years of age he would have been quite willing to support it. [AN HON. MEMBER: This Bill does so.] The hon. Member said this Bill did so. This was a Bill to regulate and deal with the hours of adult male labour, and for the first time in the history of the country, except upon grounds of public safety, they were going to regulate the hours of adult males. What he would venture to point out to the House was the inconsistency underlying all these arguments. The hon. Member talked about continuation schools, the benefits of daylight, and so on, and yet a few sentences before he said that they wished to put an end to the state of affairs under which a man worked ten hours one day and did not go down the mines on the following day. Surely, if a man wished to enjoy a modicum of daylight, it was better to remain above ground from morning to night on one day than that he should go into the mine on two days, and get his hours of labour reduced by an hour or half an hour each day. He had never heard that the evening air was so salubrious that two evenings above ground were better then one whole day above. That was the kind of argument to which they had listened from those who had been advocating the passing of this Bill. He personally knew nothing about coal mines. He only knew about the coal merchant, and he knew that they were asked to pay an intolerable deal of gold for very little coal. He was on the Committee upstairs, and he did his best as a Member of the House to balance the arguments for and against the Bill. He would point out that the arguments which the hon. Member had used as to no reduction in output resulting from reduction in the hours of labour were directly opposed to the arguments used not only by hon. Members opposite but by the friends of the Bill. The Home Secretary had said that there would be a reduction in the output. The hon. Member for Gloucester, whose valuable speeches on this subject were listened to with so much pleasure, had expressed his grave misgiving in regard to the effect of the measure on the price of coal. The hon. Member for Ince did not seem to have ever weighed the evidence which was given by the noble Lord who moved the Amendment. He wished very heartily to protest against the Bill. He protested against it not only because it would inflict hardships upon consumers of coal throughout the country, but because it would handicap our commerce and the great trades of the country. It had two very great defects. One was that it would tie the hands of future Parliaments, in regard to the time-limit of five years. And he protested against it, in the second place, because of its tyrannical character. Notwithstanding all the talk about humanitarism, this Bill would coerce grown-up men into doing what they did not wish to do. No hon. Member opposite denied that. No friend of the Bill had ventured to defend it in any way with enthusiasm, except hon. Members below the gangway. He would as soon expect farmers to oppose in argument a corn tax as hon. Members below the gangway to offer argument against this Bill. As he had said on the Report stage, and throughout the session, hon. Members below the gangway, he knew, were in touch with their fellow workmen who went below ground and who were exposed to the dangers attaching to a miner's life; but what they did not realise was the hardships which the Bill would entail on every other class of the community—upon men who worked as long as miners did, upon men who lived harder lives even than those of the men whom they represented. It was for these reasons that he would give his vote in favour of the Amendment of the noble Lord opposite. He believed that they had entered upon a course which it would be very difficult to retrace. His only hope was that the operation of this Act, and Acts of this character, would open the eyes of the people of the country to the dangers of this kind of legislation. He was convinced that ever-growing numbers of persons in the country were feeling a violent reaction against Bills of this kind. As he had said, he intended to vote for the Amendment of the noble Lord opposite, and as a loyal supporter of the Liberal Party he must say that he was afraid that the Government had done much to destroy their chances of success at the polls at the next general election by proceeding with a measure of this dangerous and mischievous character.

MR. W. E. HARVEY (Derbyshire, N.E.) said he supported this Bill on the Second Reading, and throughout the Committee stage, but some statements had been made in regard to it to which he wanted to refer. It was stated in Committee, and they had heard a remark that afternoon from the noble Lord, the Member for Maidstone, that if a referendum were taken on this Bill it would not be passed. It seemed strange, after those remarks from hon. Members opposite, to remember that the Bill had been carried twice through the House of Commons by a Conservative Government. [HON. MEMBERS on the OPPOSITION benches: "No," "Private Bill," "Second Reading."] That was what he was about to say. The Bill was brought in year after year, and the Second Reading was carried by a large majority when a Conservative Government was in power. On 2nd February, 1901, the Second Reading was carried through this House by 212 against 199, a majority of 13. On May 3rd, 1903, the Second Reading was carried by 279 against 201, a majority of 78, and a Conservative Government was then in power. If Conservatives had not voted on those occasions in favour of the Bill the Second Reading could not have been passed. It was said that on those occasions the Bill was a private Member's Bill. That might be, but there was great log-rolling among the Conservatives on those occasions when they voted for the Second Reading of the Mines Eight Hours Bill. But Conservatives who had fought mining constituencies had also asserted that they were very staunch and loyal supporters of the Eight Hours Bill. He wondered how many hon. and right hon. Gentlemen opposite there were who had not supported the Bill in the mining counties! At the bye-election for North-East Derbyshire the Conservative candidate made that Bill the leading item in his programme; and at no meeting in the constituency was there a member from the Conservative Party who dissociated himself from the policy of the Conservative candidate. Was there not some log-rolling there? And now they found that, although the Conservative Party when in power, allowed an Eight Hours Bill to pass its Second

Reading, they now came and said when there was a chance of the Bill passing into law that it was going to destroy the trade of the country. Of all the audacities he had ever heard of, the present opposition on the part of Conservatives was the biggest; because they had been fighting for these twenty years past for an Eight-Hours Bill, and at every election, at any rate in Derbyshire, the Conservative candidates had always put the Eight-Hours Bill in the front of their programme. Where was all their sincerity now? Why, the prognostications he had listened to in the House during the discussions of this Bill were the most startling that he had ever heard. It was curious what strange acts politics would lead some men to do. He should like to know who were financing the Coal Consumers' League. He wanted to ask if the present secretary of the Coal Consumers' League, Mr. Raynes, was the same gentleman who fought the Holmfirth division of Yorkshire at the general election. [MINISTERIAL cries of "Yes."] If he was, the Eight-Hours Bill was the most prominent part of his election address. All this was rather interesting for some of them who knew a little of these men who were going about the country changing their coats so often that they did not know where they were. The reason why this secretary of the Coal Consumers' League, which was being financed by nobody knew whom, and other Conservative candidates put the Eight-Hours Bill for miners in the forefront of their programme was that they were in mining constituencies, and that they knew that the miners wanted it. Were there not four hon. Members opposite, including the noble Lord the Member for the Chorley Division of Lancashire, who formerly went into the lobby in favour of the Eight-Hours Bill for miners? And why did they do so? It was because they knew that their constituents wanted it, and that they would not have been elected unless they had agreed to support what the miners wished. Again, this was an illustration of what strange acts politics would lead some men to do. He challenged any hon. Member to bring forward the case of any great reform in this country and he would prove the assertions that were made to prevent its passing and the prophecies which were uttered as to its ultimate failure. Now he had a word to say to his hon. friend on that side of the House, who had said that if a Bill were brought in to limit the hours of persons under twenty-one years of age he would have supported it. It would have had just the same effect as this Bill had now, because he would prove to him that his reasoning was fallacious if he understood coal-mining at all. He would take the 1872 Coal Mines Regulation Act. He had been careful to overlook that debate and to find out what the House was told in the course of it. It was told that the measure would ruin the trade, that it would cause foreign competition, and that it would close the old pits. Yet the House passed the Bill to reduce the hours not of men but of boys to fifty-four per week. The men were working sixty, sixty-two, and sixty-five hours a week, and that Act of 1872 brought the men's hours down to fifty-four. Why? Because men could not work without boys and boys could not work without men, and legislation, whether it was for men or boys, affected the whole body of workers. On that ground, therefore, he thought his hon. friend ought to go into the lobby for this Bill, because he had said if they had a measure before them limiting the hours of persons under twenty-one, he would vote for it. This Bill would do it, and in the interests of that young, developing life his hon. friend ought to support it. In regard to the Act of 1872 it was said that it would increase the cost of inspection, which already involved an expenditure of between £12,000 or £13,000 a year on the public. The prophecy was that the public would have to pay an enhanced price for their coal and also for an increased number of inspectors. That was in 1872, but none of these predictions came off. [AN HON. MEMBER: The price of coal rose in 1873 and 1874 by several shillings.] Yes, and he would tell the House why. It was because of the Franco-German War. Everybody knew that it was not the Bill that did it. Then they had the Employers' Liability Act, which was not for reducing the hours, but for protecting men from being injured and slaughtered by bad machinery and other things. There was the same cry against that, and everything was going to be ruined because it was passed. Mr. Knowles, a colliery proprietor, said that it would render it difficult, if not impossible, to compete with foreign nations, and all coal in the country would be largely depreciated in value. Another colliery proprietor stated that it frequently happened that men exhausted their capital in opening up mines, and only little capital was required afterwards, but the result of this Bill might be to absolutely ruin men in that position. Down to 1907 they had the same doleful cry. The pages of *Hansard* showed that every great reform for the betterment of the lives of the people had been met —as this Bill had been—with dismal predictions of the approaching ruin of trade. That was the cry of many in the House, but he ventured to say that their case stood on as firm a foundation to-day as twenty years ago; they had looked upon this question from every standpoint and found it to be sound. He would not be sentimental, and did not want to talk about the great humanitarian idea, but he did want to say as emphatically as he could a word on a subject they had not heard much of in the House, and that was the people's health. The naked light had gone out of date, and the men worked in a very dim light. It was proved that they had a larger percentage of men going out week by week in consequence of nystagmus and night blindness. The miners' health suffered, because they had now to work at a much higher temperature and great oculists said that the diseases he had mentioned were caused by the poor light which the men had when they were lying in a cramped position. He had had night blindness himself, and he had been led by his wife when he could not see his way through disease of the eye, and because he had worked in the mine with this little dim light and had had to peer at his work through it. He had suffered agonies through it, and he told the House seriously that when they had the naked lights they knew little of it. They contended that a man should not be compelled to work so long in a mine that he should go blind. Even the right hon. Gentleman the Member for West Birmingham supported the Second Reading of an Eight-Hours Bill, and he remembered when he was not a Member sitting under the gallery and hearing the right hon. Gentleman speak very favourably in regard to that Bill. It was true he spoke with a proviso, but he also made reference to this hard-working and deserving class of men. As a man who had had twenty-five years of a miner's life, working through all the grades, and as a practical man, he ventured to say that this Bill was required by the men in consequence of the conditions under which they worked, and the increasing tax which was put upon them by the higher temperatures, and there would be tens of thousands of miners and their wives who would thank the House when it had carried the Bill to a successful issue.

Mr. A. J. BALFOUR (City of London): Of course, it is unnecessary for me to say that I do not endeavour to compete with the hon. Gentleman who has just sat down in practical knowledge of mining. He has just told us that he has spent the best years of his life in actual mining operations, and he is, therefore, necessarily seized with a practical knowledge to which only those who have been similarly circumstanced can pretend. But he will forgive me for saying that the particular class of arguments on which he at the end of his speech laid great stress, have not figured largely, or at all, I think, in the speeches of the official authors of the Bill, and that they have received no confirmation from the Departmental Committee appointed by the Government to look into this question. You may search in vain through the very able Report which that Committee presented to find anything which would confirm the very gloomy picture which the hon. Gentleman drew of the results on miners of modern conditions of work in coal mines. I think there was no adequate and substantial basis dependent upon a wide survey of varied conditions of all the coal mines in the country for the contentions with which he concluded his speech. I think we ought to have heard them before, and that they ought to have been relied upon by those who are responsible for bringing this Bill before the House of Commons.

The hon. Gentleman and his friends ought to have taken adequate precaution that those views were brought before the Departmental Committee and were sifted by inquiry. Nothing of that sort was done, and I must honestly say that to ask us now to approve a Bill upon that class of argument at this, the very latest stage of our discussion is hardly to deal very fairly with the House, and is to ask us to come to a conclusion upon evidence which is diametrically opposed to most of that which has been put before us by those who are best qualified to give it. The last part of the hon. Gentleman's speech I admit to be perfectly relevant to the Bill and of great importance if it is to be considered of general application, but the earlier parts of his speech I confess I do not consider so relevant. He dwelt at great length upon the fact that this Bill had passed the Second Reading when introduced by a private Member. It sometimes passed, and sometimes, I think, it was rejected, but he did not mention that fact. The hon. Gentleman must know, however, that it is really not legitimate to take, as indicating the settled opinion of this House, the passing of a private Member's Bill in the absence of the inquiry and full consideration which attends a Bill when it is brought forward by responsible Ministers of the Crown. It is not because the Bill has often passed a Second Reading in a thin House on a Friday afternoon that it deserves the respectful attention of this House. The reason it deserves the respectful attention of this House is really, as I understand it, because this is a Bill which is put forward as a model of what the Government are prepared to do in this particular field of their favourite operations for social reform. I say it is their favourite field because much was said about social reform in the Licensing Bill; in that measure itself social reform was put off for some fourteen or fifteen years. The Licensing Bill was to prepare the way for some plan by which Parliament was to deal with the drink traffic in the future. Here the Government are not leaving it to future Parliament to determine how this social reform is to be carried out. On the contrary, not only do they embody the proposals which appear in the Bill, but they actually have the foresight to anticipate what is going to happen at the end of five years when this Bill is to reach its mature and ultimate stage. It is a remarkable power of prophecy on the part of the Government—I admire the boldness of their prophecy—which is the more remarkable because right hon. Gentlemen themselves in the discussion on this Bill have used certain arguments which certainly lead me to think that it is very doubtful whether in five years the extension of the principle embodied in this Bill is one which ought to be permitted to take place. What does the full extension at the end of three years amount to? I ask the House to remember two things. In the first place, the extension will only be legitimate in the views of right hon. Gentlemen opposite if it is preceded by certain improvements and inventions for carrying on the mining industry which will enable to be done safely in five years time what cannot be done safely now. By what gift of prophecy does the Government know what course invention is going to take during the next quinquennial period? By what powers of prophecy do they so pierce the future as to know what methods will be in vogue for winding up and down the shaft, bringing men up out of the mine or lowering them into the mine, which will enable things to be done in 1913 which cannot safely be done now? But that is not all. The Government, sharing to a certain extent the fears of the Chairman of the Departmental Committee, are clearly of opinion that a consequence of this Bill there may be a rise in the price of coal which may greatly embarrass industries if it comes into operation at a time of crisis or rising prices. Therefore, the Bill is to come into operation in the summer months. Why do the Government choose the summer months? They choose the summer months because they say that it would be most dangerous to choose the winter—this is the point—it would be very dangerous to bring this Bill into operation in the winter months, and they will not take the risk of there being a diminution in the supply of coal in the winter when, owing to the inelastic character of the coal supply, a momentary decrease in the supply with the consequent increase in the price might bring on a crisis which would be a national misfortune. That is the Government's view. How do they know whether in five years prices will rise or fall? By what means can they forecast that the extension of this Bill will not come into operation during one of those times of crisis? It is not for this strange peculiarity of the present measure that I think it is specially deserving of respect as an effort of social reform. It is a very curious Bill if you take it in connection with other views which His Majesty's Government have held at other times. In the first place I will ask how the Government reconcile a Bill of this kind with their views upon the question of employment. It is quite true that in one sense this Bill may increase the demand for labour. There may be an increased demand for labour in a certain class of mines, but is it not absolutely certain that in many old mines, and in mines where a long interval takes place before the men can get from the bottom of the shaft to their place of work this Bill may cause something approaching a disaster to the owners, and is it to be contended that such disaster affecting the owners will not react upon the workers in that mine? It is vain to say that somewhere else there are other mines where a larger number of men will find employment. I do not know that there will be this increased demand, but there certainly will be the risk of a certain number of men being thrown out of employment, a certain fraction—I do not know how large it may be—of the men engaged in this particular class of mine. Therefore it is ludicrous to come forward and start work at the cost of the ratepayers in order to employ people upon work which they cannot do, when, at that very moment, you are bringing in a Bill to prevent people doing a particular kind of work that they can do under existing circumstances. This is not inconsistent with what the hon. Member who has just sat down has said. He has said, and said quite truly, that all the miners want it. No doubt those who want the miner's vote had to introduce this Bill, but I do not know that that means anything except that the miners generally want the Bill, and that I am quite ready to accept. I do not know any test that I could apply to the proposition that would lead me to a different conclusion, but it does not in the least prove that there are no sections of the mining population who will be injured by this measure. But, rightly or wrongly, the miners think it is to their advantage, and the truth of the statement of the hon. Gentleman that all would like to see this Bill brought into operation is incontrovertible. But upon that may I say one word with regard to the position of another hon. Member representing a miners' constituency? The hon. Member for Hanley, in dealing with the objection that the Bill interferes with the flexibility of labour, preventing a man from working longer hours on some days and taking a day's holiday, said that that objection showed ignorance of mining life, that miners must be dealt with *en bloc*, that they must go down and come up together, and all conform to the general rule. That is true enough within its limits; but would the hon. Member say that under the existing system a man could not, if he chose, earn as much by working longer hours and taking an occasional day's leisure as he would under the new system.

MR. BRACE (Glamorganshire, S.): No, he cannot arrange his time.

MR. A. J. BALFOUR: He cannot arrange his time in the same way as, say, a small holder, can arrange his. That I quite agree, but surely the hon. Member will not tell me that he cannot arrange his time so as to give him days of harder work with longer periods of rest.

MR. THOMAS RICHARDS (Monmouthshire, W.): If I may explain I would say that in very many mines the men of the shift have to leave together, whether some of them have had a holiday the day before or not. The men can only work for a certain time. They have to leave at a stipulated time whether they like it or not, because at four or five o'clock, as the case may be, a shot is going to be fired and they have to come out of the mine.

MR. A. J. BALFOUR: I do not deny that, but a man confined to an eight-hours shift each day will have to work each day and will lose the right to do the same amount of work in five days and take a holiday on one day in the week. Legislation of this kind must interfere at all times and in all circumstances with the personal liberty of the individual man, and with his power of arranging his own time in his own way. In addition to these inevitable trammels which are the result of the character of the industry, you are now introducing a new trammel due not to the character of the industry but to the deliberate will of Parliament. This is an interference with liberty, great or small, which ought not, I venture to say, to be undertaken unless very serious reasons can be urged in its support. That really brings me to another strange inconsistency, as it seems to me, between the principles which we are told are animating the Government and the doctrines which they proclaim at the top of their voice on every seasonable and unseasonable occasion from one end of the country to the other. I should have thought this was an impossible Bill for a free trade Government, or that it was the last Bill that a free trade Government would have introduced. Certainly I know that the fathers of free trade orthodoxy would have regarded this interference with production as almost the grossest conceivable interference with that kind of general free trade which they admire and which they desire to see adopted. I cannot believe that this is a proposal which Adam Smith would not have opposed—this kind of interference with the arrangements of labour. Arguments are used of the most extravagant and violent form against protection as it is now practised, say, in the United States of America, or in some other countries where protection in its extremest form is the accepted system. What are the arguments? The first argument is that this opens the way to every sort of pressure upon the Legislature by the interests affected. If anybody doubts that this Bill is due to pressure upon the Legislature of interests affected, they have only to listen to the eloquent speech of the hon. Gentleman who has just sat down. The first threequarters of an hour of his oration was a pæan of triumph because of the pressure put on Members of this House by the particular interest which he represented. Nothing could be more clear or a more striking example of the power which a highly organised interest can exercise upon the proceedings of the Imperial Parliament than the pressure brought to bear by one interest in connection with this Bill. Then the next argument we have always heard against the extreme or any form of protection to which hon. Gentlemen object is: "Oh, the consumer!" Though a protected interest may gain or appear to gain by the procedure, and the public as a whole, as consumer, suffers; yet as far as the public in its position as consumer is concerned, you must not allow yourselves to be misled by the apparent advantage to one particular industry to do an injury to the community as a whole. That is the argument. I would like to ask whether there is any case in which by fiscal arrangement you do a more obvious injury to the consumer than you do in this case by direct legislation. That is not denied. We get now and again casual and sporadic denials from gentlemen who support the Bill, but people in authority do not deny it. The hon. Gentleman, the Member for Ince, in the speech which he made on the subject explained that wages would have to be raised 6d. a ton in order to make up for the loss of hours.

MR. WALSH: That is the total cost.

MR. A. J. BALFOUR: The hon. Gentleman will correct me if I am wrong when I say that he gave us figures which seemed to lead to the conclusion that the men would have to earn so much per ton in order that their wages under this Bill would equal their wages at present. I think he put it at 4d. or 6d., and he assumed most frankly that this rise in the price of coal would be the only rise that would take place in consequence of this measure. But he must know perfectly well that if the output is diminished the rise in the price of coal does not depend upon the additional cost of production. I think the hon. Member for Gloucester was perfectly right in what he said, that this Bill probably will, to a certain extent, and may to a dangerous extent in certain contingencies, raise the price of coal on the consumer. I want to know what more evidence of the worst protection you want. But that is not all the arguments we hear against protection. What has become of the poorest of the poor? Where have the poorest of the poor who figured in every peroration in the last Parliament upon the fiscal question gone to? Why are not the poorest of the poor referred to on this occasion? Are there no poor under a Liberal Administration? I hardly think that in these days of unemployment that this can be maintained. Is it alleged that the poorest of the poor do not burn coal? It is quite evident that of all the necessaries of life fuel is really the most universal. Fuel is as fundamental as any of the necessaries that can be named. I should have thought that a Bill which raised the price of a supreme necessary of life to the poorest of the poor, would not have any support from the party or the Government who are never tired of saying that their system is the only system under which the poor can really have more cheaply the primary necessaries of life. They have gone about the country talking about the big loaf and the little loaf, but I would suggest that there should be something said about the big scuttle and the little scuttle, which is as emphatic a commentary upon the policy of this free trade Government as any other symbolic expression that could be invented. There is only one more point to which I wish to refer, and it is one which is always being rubbed in by the free trade party, and that is the question of raw material. I am not going into any refinements on the subject of raw material, but I think it will be universally admitted that if there is one thing which is necessary more than any other in our industries, in any part of the country, it is coal. You are going to raise the price of this universal raw material. I cannot understand this attitude on the part of free traders. The Prime Minister gives, as he tells us, a fair lead in respect to two great subjects round which revolves the policy of the present Government. One is the House of Lords, about which it would not be relevant to speak here, and the other is free trade. On what principle can you defend free trade which actually does not condemn this Bill? The Member for Gloucester, who has not, I am sorry to say returned to his place, is one of the ablest of the extreme free traders, and one of the ablest advocates of this Bill, and I shall be very glad to know how he defends the support of this Bill in view of his speeches on the other and rival policy. It is quite true that the crudest and worst form of protection does differ from the protection under this Bill; but, after all, the duties which Americans put on importations from this country do increase the output of the particular industry in their own country which those imports affect, but in this country the output is going to be diminished. In a highly protected country like America the duties act between the industries equally, but this form of protection would act most unequally between the different kinds of industry in this country. One hon. Gentleman very competent to speak on the subject, informed us that the result of the Bill will be to cause certain mineowners to make fortunes while other mineowners would be ruined. Those who have new mines or are about to sink new shafts will gain enormously in consequence of this Bill. Those who have old mines where the management could not be brought into harmony with this Bill will be entirely destroyed. One other point, and only one which seems to me to differentiate this form of protection. After all, protection does bring in revenue, though it may be in a very costly way. Therefore, if you survey the whole field, if you examine every one of the familiar arguments upon the point of free trade, the Government's main policy, there is no condemnation which can be brought against even the most extravagant, and I think, absurd form of protection, which cannot be brought with double force against this Bill. For these reasons, I do not think this experiment of the Government in social legislation is a very felicitous one. They have brought it in avowedly in obedience to the great interest, so admirably organised, which has expressed its views with such vigour from below the gangway. They have supported it steadily, though hardly enthusiastically. They expressed many doubts about the immediate future—I do not say about the remote future—but all these things sink into insignificance beside the fact that so little do they attempt to bring their political views into some organic coherence, so little do they attempt to look at the great social problems of our time in the light of one body of consistent doctrine, that they actually bring in a Bill which carries with it every offence and every defect which the most extreme form of contemporary protection has ever shown, and is without the advantage which modern free traders freely admit may attach even to extreme protection. They bring it in without the smallest apparent idea that they are defending at one and the same time two totally inconsistent bodies of political doctrine, which no ingenuity will really fundamentally reconcile. For these reasons I shall give my vote as I have always given it, whether I had miners in my constituency or not, against this measure. It is not, and never has been, regarded as a party Bill, and I do not speak for more than myself, but the opposition which I have consistently offered to it for all these years I offer to it now, and I am bound to say with a much greater feeling of confidence when I see how utterly unable its true sponsors are to give any rational defence of the plans which they have adopted from others, and which they apparently do not care very greatly to defend.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): I am not quite sure whether the right hon. Gentleman has been opposing this Bill because he is a free trader, or because he is a fiscal reformer, or whether he disregards his own attitude and is only anxious to convict the present Government of inconsistency. I will assume the latter. He attacks us for bringing in a Bill of this kind, while we hold free trade doctrines, on the ground that we are inflicting deliberately an injury upon the consumer, who has hitherto been our special care, and are deliberately raising the price of raw material when we have loudly declared that raw materials should be as cheap as they can be obtained. But he is assuming that we are contemplating that there will be an appreciable and a permanent burden on the consumer, and that there will be a permanent and appreciable increase in the price of raw material. That assumption is wholly unfounded. If we thought for a moment that the consumer was likely to have imposed upon him by this Bill a burden which could be long and seriously felt, we should have hesitated long before we asked the consent of Parliament to its provisions. The right hon. Gentleman's chief argument was the principle that interference with the hours of labour was contrary to the pure milk of the word of free trade doctrine, that the two questions are inextricably entwined, that if we believe in no State interference with trade, therefore, we must believe in no State interference with the conditions of employment. But where does that doctrine lead him to? If it applies to one side it applies to the other. If, because we are opposed to tariffs, we are obliged to oppose this Bill, then, if you support a tariff you are obliged to support this Bill. If the right hon. Gentleman in any degree believes in his own argument he is in this dilemma. He must either declare himself a free trader, about which there is still some uncertainty, or else he must vote for the Bill. Since he has declared that he is going to oppose this Bill one must suppose that he must necessarily be a free trader, and so, perhaps, the incidents of to-day may throw a light on this somewhat obscure topic. But, of course, as a matter of fact, it does not in the least follow that, because you support this Bill, therefore, you must support a tariff, nor does it follow that because you oppose a tariff you must oppose the regulation of the hours of labour. The right limit that is to be put on State action is, of course, one of the most difficult and the most important problems which can face any Legislature. But all researches lead to this conclusion, that each case or each group of cases must be judged on its own merits. You do not ask free traders to vote for the repeal of the Factory Acts because they are free traders. There is nothing in any extension of the Factory Acts which is inconsistent with free trade. There is nothing, again, in extending the Education Acts, interfering with liberty by compelling parents to send their children to school, and regulating the lives of the young people of the country —interference of that kind is in no way inconsistent with the doctrines of free trade; and so it is in this particular question. There is no more reason why free trade should lead us to complete individualism in all things than why tariff reform should lead Members opposite to complete Socialism in all things. So far with regard to this somewhat academic question of the relation between free trade and the doctrines of State interference with labour.

I do not think anyone who has listened to the right hon. Gentleman's speech and to his declaration that that speech will be followed by a hostile vote against the Bill, or anyone who has listened to the speeches to-day and on previous days against the Bill from hon. Members opposite, will have fully realised that a Miners Eight Hours Bill not many years ago formed one of the chief items of a Unionist programme, that the right hon. Gentleman the Member for West Birmingham whose authority in his party the right hon. Gentleman who has just spoken will not disavow, made the proposal of an experimental eight hours day one of the chief planks of his programme at the general election of 1895, and that that programme was given the authority of the sanction of Lord Salisbury, then Leader of that party. It is a remarkable thing that with the recollection of the immediate past hon. Members opposite should still denounce a proposal of one of their most valued leaders as a monstrous interference with the liberty of the subject. But hon. Members opposite do not limit their efforts at making the most of both worlds, to at one time supporting a measure of this character in order to win votes, and at another time opposing it in order to win votes; but they carry those efforts even further, and at one and the same time, those Members of the front Opposition bench who represent mining constituencies steadily vote for the Government on this Bill, while hon. Members behind and around them are left free to denounce their action as most injurious to the country as a whole, and as likely to cause increased poverty and greater suffering to our poorer classes. The right hon. Gentleman who has just spoken admits the fact that his own colleagues voting for this Bill, as they do day by day, conclusively proves that the miners of the country do want this Bill. His saying that to-day has wiped out as by a sponge a great deal of the arguments which were addressed to us on the Committee stage. We were told that if only the miners were not coerced by their leaders, if we could take a referendum, if they were free to express their unfettered desires, we should see that a very different state of things is the fact from that which has been represented. The right hon. Gentleman disavows all that and says that since even Members of his own party who sit for mining constituencies are obliged to be supporters of the Bill, the fact proves conclusively that the mining population of the country as a whole desire this measure.

But the right hon. Gentleman's chief attack upon the Bill was upon the five years period which finds a place in it. Anything in the nature of a time-limit—I suppose it is force of habit—seems to arouse his special condemnation. He speaks of this as an extension of the Bill at the end of five years. It is not an extension of the Bill at the end of five years. The Bill, as we have always intended it to be, was an Eight Hours Bill from bank to bank. That Bill will come into full operation at the end of five years.

AN HON. MEMBER: No it will not, one winding is excluded.

*MR. HERBERT SAMUEL: That is an eight hours day from bank to bank. An eight hours day from bank to bank means that each man, on an average, shall be below ground for eight hours. It does not mean an average of seven and a half hours as it would be if both windings were included. It means that each individual miner throughout the country shall be below ground on an average for eight hours, and that will be the case when the Bill comes into full operation at the end of five years. The first man down, if he is the first man up, will be below ground for eight hours, the last man down if he is the last man up, will be below ground eight hours, and the middle man down, if he is the middle man up, will be below ground eight hours. Every man on the average will be below ground eight hours. If you were to include both windings in the eight-hours period, then the average man would be below ground only seven and a half hours. That was never intended. It would not be an eight-hours Bill. The Bill which we now propose, as it will come into full operation after five years, is an eight-hours bank to bank Bill, properly speaking. At the end of five years we shall have not an extension of the Bill but the Bill itself, and the intervening period is a period of delay when the Bill is brought into partial operation, a period introduced mainly for economic reasons. The right hon. Gentleman who has just spoken quoted the hon. Member for Gloucester and the fears which he expressed to-day as though they were hostile to the five-year period, and had regard to the state of things to come into operation at the end of five years. That was not so. My hon. friend the Member for Gloucester, said very little to-day about what is to happen at the end of five years. What he said was that when the Bill first came into operation there might be a period of economic stress, and on that ground he criticised the precise method of bringing the Bill into operation, and urged the proposal that it should be brought into operation not in two stages but in three. But the right hon. Gentleman the Leader of the Opposition himself only two or three days ago completely showed to the House that it was neither necessary, practicable, nor desirable to carry out the proposal of my hon. friend and adopt the three-stage method of bringing the Bill into effect.

Now let me say a few words on the economic aspect of this Bill, and they shall be very few, because the matter has been so thoroughly discussed and completely argued that there is very little left to be said. My first observation is that we are continually told that this Bill, by its rigid regulations, will press hardly on old men and on old mines, and apparently it is assumed that under present conditions discrimination is made in the case of old men and old mines. As a matter of fact, there is no such discrimination, because in any given district, whether it is an eight-hour or a nine-hour district, the old men go down at the same time as the young men, they start to get to their places of work at the same period as the young men. And there is no discrimination whether the mines be well equipped or badly equipped, whether the working places be remote or close to the shaft, in each district uniform hours are worked throughout the district. Therefore, the whole of the arguments we have heard with regard to old miners and old mines would apply equally to the present conditions of things, and it has been found that no hardship in that respect occurs. With reference to the case of the Forest of Dean, often quoted as a special case, I would point out first—and I do not say this is a conclusive argument—that the Forest of Dean is a very small area. There are nearly 1,000,000 miners —the correct number is 900,000— employed above and below ground in this country, and in the Forest of Dean there are only 5,000, so that it is obviously a very small part of the total number engaged in this industry which is affected in the Forest of Dean. The question is comparatively a minute one. At the present time the Forest of Dean mines are working an eight-hours winding day under precisely the same conditions which we propose should prevail all over the country for the next five years. Therefore the Forest of Dean district will be in no way affected by our Bill for a period of five years, and when that period comes to an end, I wish to point out that by the overtime provision it will get a large advantage. The Forest of Dean district is a place of seasonal trade where they work busily during the winter months and slackly during the summer months. The overtime provision will allow in that district one hour extra on sixty days, equal to one hour on five days a week for twelve weeks, so that for three months in the year under our Bill, even after the period of five years, the mines in that district will be able to work longer than they do to-day. So much with reference to the Forest of Dean. There is a further point of some importance from the economic point of view which I should like to mention. It is assumed that the coal mines of the country are working up to their utmost capacity, and that any diminution of the hours of labour must, unless there is some readjustment of conditions of working or more arduous labour on the part of the men, lead to a diminution of production. I have made inquiries through the mine inspectors in the various mining districts of the country, and I am informed by the Chief Inspector of Mines that at the present time 44 per cent. of the mines—the number is not necessarily exact, but it is about 44 per cent. in round figures—are now working slack time. I will read a few extracts from the Reports. I will take first of all East Scotland where, according to the Report, about 80 per cent. of the mines are now working from three and a half to four days per week. In the York and Lincoln districts there are 130 collieries employing about 30,000 persons, working only four days per week, whilst in the West Lancashire district one-fourth of the collieries only are working full time, and three-fourths of them are working half a day or one day short per week. In the Midland districts not more than twelve collieries out of 286 are working full time, whilst in Staffordshire only 10 per cent. of the large collieries are working full time. I know there are certain districts where full time is being worked, but about half the mines of the country are working far less than their full capacity, and, therefore, the argument that when this Bill comes into operation—supposing the existing conditions of trade continue —there must necessarily be a great restriction of output completely falls to the ground. And now what shall we say of the gross exaggerations, the deliberate misrepresentations of the economic effects of this Bill which have been spread broadcast in the country? Hon. Members opposite have referred more than once to the Coal Consumers' League. I hold in my hand a leaflet which has been distributed by that league, and I have already quoted from it. Nevertheless, I do not think it amiss to recall it to the attention of the House, because some people think there is a genuine movement amongst certain classes of the population against this Bill, and I will quote to the House from this leaflet just to show the kind of argument which has been used to stimulate opposition to this measure. Here is the leaflet circulated at bye-elections by this mendacious league, and it says that the probable effect of the passing of this Bill will be, not temporarily but permanently, a rise in the price of coal of 5s. per ton. Now, is there any hon. Member opposite who will say this leaflet tells the truth? [AN HON. MEMBER: Why not?] Is there a single hon. Member opposite who will get up in his place and say that in his view it is true to say that the probable effect of the passing of this Bill will be a permanent increase in the price of coal to the extent of 5s. a ton? It is impossible for any hon. Member to make himself responsible for such a statement as that. They say in this leaflet that the probable effect, not temporary but permanent, will be that you will have to pay strike prices for your coal always, and strike prices always for your gas; strike prices for everything you want by machinery always, and work will be as scarce as it always is at strike times and so forth. This pamphlet further states that this Bill will increase the cost of the poor man's coal by 3d. per cwt., which is 5s. per ton, as a very simple calculation will show. After the methods of this league have been so completely exposed in the country from various sources, it is not surprising to find Lord Newton, the Chairman of the League, saying at an emergency meeting a few days ago, at which he presided, that "he was surprised that the objectionable character of the Bill had not been realised throughout the country." As has already been said by other hon. Members, we are accustomed to these prophecies when a measure of social reform, of industrial legislation is introduced. On the Second Reading of this Bill I quoted a well-known precedent, the Workmen's Compensation Bill of 1897, when the Mining Association—the very body who are now actively opposing this Bill—went in deputation, headed, I think, by Lord Londonderry, to the right hon. Gentleman himself, and said that the effect of the Workmen's Compensation Bill would be to raise the price of coal 2d. or 3d. a ton. An inquiry subsequently held by a Departmental Committee showed that that deputation was out in its estimate by 80 per cent., and that the actual effect of the Workmen's Compensation

Bill on the coal trade had been one-fifth of what they asserted would be the case. There have been, during the short time I have been a Member of this House, many discussions in which I have taken a keen interest in which similar prophecies have been made of ruin and disaster, sometimes in large matters and sometimes in small ones. Take, for example, the question of Chinese labour, a controversy in which I took the very greatest interest. We were told that if we stopped Chinese labour the result would be inevitable ruin to South African mines because it was totally impossible, with the best will in the world, for the mine owners on the Rand to get more black labourers than they were getting, because they had reached the maximum number obtainable. We were confronted with Blue-books, and bombarded with reports of Commissions. But what have proved to be the facts? The number of black labourers employed when those statements were made was 70,000, to-day there are over 150,000 black labourers employed in the mines. When the Workmen's Compensation Bill of 1906 was introduced we were told by those interested in sailing ships that the effect of the passing of the Bill would be to destroy the sailing ship industry of our country. I have made inquiries since, and I have been informed by one of those gentlemen who formed part of a deputation on that subject that the actual result in that industry has been a charge of one-third or one-fourth of what they represented would be the case. I will turn for a moment to a very small matter, although it is a very interesting example—I refer to a little Bill introduced by the Home Office dealing with the question of privileged cabs in the Metropolis. We were then told on the authority of railway directors, and on the authority of the hon. Baronet who represents the City of London, that if we insisted on passing such a mischievous Bill the effect would be that no traveller, late at night, or in cases of emergency, would be able to get a cab at a railway station, and that the whole population of London under our Bill would be subjected to the greatest possible inconvenience. Since that Bill has come into operation, far from having a storm of protests, not a single whisper of a complaint has been made with regard to the supply of cabs at railway stations. Nevertheless, hon. Members opposite are in no way abashed. They go on repeating the same arguments in regard to each Bill as it is brought forward, and on each measure they prophesy ruin and disaster to the country with the utmost glee. This kind of thing has gone on generation after generation and century after century. Individual spokesmen may come and go, but these forecasts go on for ever. I believe that if 100 years hence our spirits could revisit these walls, we should still find here the descendants of hon. Members opposite telling the House that the proposals then being made meant ruin and disaster to industries, and above all injury to the workpeople themselves, and we should find probably the Minister of that day standing in my place answering in the words I am using the same arguments which have been put forward to-day. I ask, why should we believe to-day the forecasts of those who have been proved so often to be false prophets?

Lastly, I come to the question whether it is legitimate to interfere in this way with male adult labour. I notice that the right hon. Gentleman did not lay the greatest stress on that argument; he did not lay down the doctrine that under no circumstances was it legitimate to interfere with the hours of male adult labour. The right hon. Gentleman said this ought only to be done when there was a clear case, and when the advantage of doing it was obvious. Hon. Members opposite and some hon. Members behind me have, however, laid down in un-compromising terms the doctrine of the complete individualist that you must never prevent a man from "working what hours he pleases." But that is just what the man does not do now. If he was able to work what hours he pleased there would be no case for legislation. It certainly seems an extraordinary perversion, a topsy-turvy argument to say that if you help a man to work the hours he wants to work it is tyranny, but if he is left to the mercies of our industrial system and compelled to work long hours which he does not wish to work, that is liberty. I have never been able to understand that argument. I suppose there must be some force in it, because it has been advanced by so many able men, but at any rate I have never been able to understand it. If you help the miners by the force of a statute to do that which by their express declaration they desire, then you are extending liberty and not decreasing it. Nor do I understand the argument that whatever is is natural, and that whatever legislation effects is artificial. I have never been able to see the force of that. Were the long hours worked before the Factory Acts natural? Are the hours which are now being worked in the mills of Lancashire artificial? It seems to me that the one is as artificial or as natural as the other. When children of six or seven years were being worked in mills under the lash of overseers, was that natural? I should say that the restrictions imposed by legislation resulted in effects much more in accordance with the dictates of nature. We are told that the present eight-hours day in Scotland is natural, but that if we establish it in Wales it is not natural. We are told again that if the men succeed in establishing what the Bill proposes by a strike, that is natural and no one should complain, and if there is a rise in price we must not quarrel with that; but if precisely the same thing is effected by Act of Parliament, that is unnatural, and should be opposed. I can see no ground of theory which should prevent us from using the powers of the State, so long as it appears that there will be no indirect effect for harm, to facilitate working and to soften the rigour of our harsh industrial system.

The noble Lord who moved the rejection of the Bill said he did not know what the reason was why the Government should have brought in this Bill except to catch votes. I will tell him the reason. We may be wrong or we may be right, but we regard it as our duty here to pass such laws as are practicable to secure better conditions of living for the mass of our population. All our social legislation is of a piece. Our measures with regard to the aged poor, temperance, workmen's compensation, small holdings, this Bill—are all parts of one large policy. When we find that there are in this trade nearly 1,000,000 persons employed, representing a population of 4,000,000, and that about one-eleventh of the whole population of our country will be affected, directly or indirectly, by its benefits; when we find that they are engaged in a specially arduous employment and are subject to greater discomforts than any other part of the population; when we find that they ask for larger leisure; when we believe that that boon can be conferred upon them without injury to the rest of the population, we ask ourselves not why we should introduce the Bill, but why we should not introduce the Bill. The right hon. Gentleman opposite says that these men ought not to be singled out for special consideration because they are a particularly healthy class. [Indications of dissent.] I do not wish to misrepresent the right hon. Gentleman, but he says that they are not specially unhealthy. But these men are not healthy because they are miners; they are miners because they are healthy. There are, as my hon. friend the Member for Derbyshire said in his moving and interesting speech, special conditions which ought to be taken into account, and special ailments that affect them. But the fact has to be remembered that unless a man has a good physique he cannot undertake this arduous employment, and that is the reason why the miners have such good rates of mortality and are not subject to diseases which affect other portions of the population. The main reason for this Bill is not the ground of health, but the immense importance of adequate leisure for our industrial population. As civilisation progresses, as invention develops, as science advances, so industrial processes improve; and the question is: To whom, and in what way is the benefit of that industrial progress to go? There are many directions in which it can go. It may go to increase the value of the mines, in the direction of larger royalties [An HON. MEMBER: Hear, hear]; it may go in higher profits to the coal owners, who may obtain larger remuneration for their enterprise and the use of their capital; it may, in course of time, go in the form of higher wages for the workmen; it may go in the direction of lower prices for the consumer; or it may go in the form of greater leisure for the workmen. It may go in a combination of some of these various methods. But we believe that among all these various directions in which the benefit of improved industrial methods may be spent, an adequate amount of leisure ought to be almost a first charge. Leisure no doubt may be abused, but I think it is true to say with a very distinguished writer that it is only by allowing men to use leisure as they will that they can learn to use leisure as they should. I believe that in the long run this leisure will be used by the miners well and profitably. Certain it is that there can be no full life without it, and that is the essential reason why we ask the House to pass this Bill.

*SIR C. J. CORY (Cornwall, St. Ives) said it had been stated by the hon. Member for the Rhondda division on Friday that he (Sir C. J. Cory) had ridden into this House by means of promises to support the Eight Hours Bill for miners. In the first place, he had neither before nor during the election ever referred to a miners' Eight Hours Bill in his own constituency, neither had he made any promise respecting it in his own nor any other constituency. On asking the hon. Member where and when it was alleged he had made such a promise, the reply was that it had been made at a meeting which he had addressed on behalf of the hon. Member for the Rhondda division in the latter's constituency. On Friday he had emphatically denied the statement, and to-day he had with him copies of the two local papers which circulate in the hon. Member's constituency giving full reports of his speech at the meeting referred to, and in confirmation of his denial he would say that there was not one word in his speech with reference to the eight hours question, neither was any reference made to it by any one who spoke at the meeting. There were only tin miners in his constituency, and, as the hon. Member for Camborne had stated in this House on Wednesday, they had been able to get an eight-hours day by means of an arrangement with their employers. He contended that there was absolutely no reason for the Government proposing to establish an eight-hours day by legislation, as the miners with their strong organisations could easily obtain it for themselves. He repeated what he had stated before—that the miners had never, through their federation, formally demanded from the associated mine-owners of Great Britain an eight-hours day. It was said by the hon. Member for Hanley, that if there was a shortage in the supply it could be made up by increasing the facilities and by employing extra men. He submitted that if it were possible to make up the shortage caused by the Bill by improved facilities and machinery and by employing extra men—which he very much doubted, as in the new collieries they already had all the latest and most improved machinery, and he feared it would be difficult to get extra men in any very large numbers—it should be remembered that there was year by year an enormous increase in the demand for coal which would not be met as well in the way indicated. It seemed to him that it was not right that the Northumberland and Durham miners should be given the special advantage of having this Bill deferred for six months—that was until January, 1910. In South Wales contracts were from 1st January to 31st December following, and, therefore, if this Bill came into operation in the middle of the year it would cause the greatest inconvenience and embarrassment to the trade there. He stated before that the coal owners' agreement with the men did not terminate until 31st December, 1909, and therefore this Bill would come into operation six months before the agreement ended. That would cause a great deal of trouble and probably disputes, as employers would have to make some fresh arrangements with the miners for the intervening period as well as again at the end of the year. It had been said that in certain districts, if the Bill came into operation in winter, it would cause great inconvenience, because it might increase the price of coal, especially house coal. There was no reason why the advantage given to Northumberland and Durham should not be extended so far as South Wales and Monmouthshire. As regards that, inasmuch as the South Wales and Monmouthshire coal was practically all exported and used for steam purposes, it was said now that the miners in the coalfields of the country were entirely in favour of the Bill, and yet there was no clause nor Amendment proposed, to leave to the men themselves the question whether they wished to remain longer in the mine or to have a little more leisure than they had at present, but it was strenuously opposed by hon. Members representing labour on the grounds that miners might take advantage of such words to evade the Act, and it was said by the Minister in charge of the Bill that they dared not do that, because the men might take advantage of it and remain longer in the mines than the Bill would allow. He could not see why there should be any temptation for the miners to do any such thing if they were so strongly in favour of the Bill as was stated. It had been admitted by every supporter of the Bill that it would increase the cost of working. The hon. Member for the Ince division stated that the increased cost would be 6d. per ton. When the coal tax of 1s. per ton was put on, deputations were formed, including the miners' representatives themselves, to represent the disadvantageous effect which that tax would have on the coal trade of the country, in view of the competition of coal producers in other countries. And yet they were told that this increase in the cost of production, which would be one of the effects of this Bill, would not affect the export trade. So far as South Wales was concerned, there was no coal in the world which they had not to meet in competition, and if they got thrown out of the markets by reason of a difference in the price it might be impossible to recover the trade. The hon. Member for Ince said that Parliament dealt with the hours of labour of persons under sixteen years of age, and he did not see why they should not regulate the hours of labour of persons over that age, but in all legislation dealing with the hours of labour it had been the custom of Parliament to deal with people under sixteen years of age or of tender age, but it had always been considered that when people arrived at mature age they should look after themselves. The hon. Member for Glamorgan said that the price for cutting coal was 1s. 6d. per ton, and he rather led the House to believe that that was all the collier earned. The collier cut a good many tons a day. He also got paid for cutting bottom and ripping top, and keeping out clod, and putting up timbers, and numbers of other items, on all of which he got the percentage—which in South Wales and Monmouthshire at the present time was 60 per cent.—over and above the standard rates.

*MR. BRACE: The cutting price of 1s. 6d. includes all the dead work such as timbering in a number of collieries in Monmouthshire.

*SIR C. J. CORY said that on the other hand the cutting price was very much higher than 1s. 6d. in many cases, and the miners got other advantages. It was stated by the hon. Member for Hanley that Mr. Knowles had said in the House, when they were discussing the Employers' Liability Bill, that if it came into operation, on account of the burden which would be thrown on the industry many small colliery owners would be ruined. They knew that in South Wales there were many people who had sunk large amounts of money in collieries which had had to be abandoned and the whole of the capital lost. It was, after all, only the few who had made money in coal-mining over a series of years, the larger number of people in the coal trade having lost money. The hon. Member said that in future they would have deeper pits, and, therefore, higher temperature and closed lamps. So far as temperature was concerned they knew that there were improvements in machinery for ventilation, and that this improved machinery would counteract any higher temperature as compared with the machinery in the past. Then miners' lamps were very much improved, and they would be much further improved, no doubt, in the future. In speaking at a meeting at Cardiff some time ago he had referred to the fact that old men and old collieries would find the pinch of this Bill, and that he understood the miners in the Forest of Dean were opposed to the measure. The hon. Member for the Rhondda had said, at a meeting which he addressed at Barry, in reply, that the Forest of Dean was an old coalfield, they had old collieries and they were old colliers, and that was why they were opposed to an eight-hours day, which exactly proved his contention.

In France the eight-hours scheme was practically inoperative; there was a conspiracy among all parties—miners, owners, and the Government, to ignore it; and he believed that something of the same kind would happen in the course of time after this Bill came into full operation in this country.

*MR. J. F. MASON (Windsor) said the speech of the hon. Member for Hanley illustrated very clearly the extraordinary confusion in the minds of some hon. Members in regard to this question. The hon. Member acknowledged that the cost of production would be increased by 3d. per ton, and then he went on to say that there were people who said that the cost of production would be increased by 3s. per ton. They never said that the cost of production would be increased by 3s. per ton. What they had said and still said was that the price might be increased by 3s. a ton. The price had very little to do with the cost of production. The price related to supply and demand, and the question whether the price would be increased depended on whether there would be a shortage in the output or not. The Home Secretary had admitted that if there was an increase in the price of coal by 1s. 6d. per ton it would be a most serious matter to the industries of the country. He could not understand how, in view of all the evidence given before the Departmental Committee, the Home Secretary could still believe that there would be no increase of price if this Bill passed. The right hon. Gentleman said to-day in the course of his remarks on the economic side of the question, that it was impossible to say precisely what the increase in the cost of production could be, but he thought from that remark that the right hon. Gentleman had come to the conclusion at last that there would be a distinct increase in the price of coal. Now, the Departmental Committee reported that—

> "If the price of coal should be doubled, the manufacturer cannot reduce his purchases in any degree except by ceasing to manufacture, consequently, the smallest deficiency causes competition that raises prices out of all proportion to the extent of the deficiency. The history of the trade shows that in the year 1873, and again in 1900, a rise in the latter case to almost double the prices ruling three years earlier, and in the former case a rise still more considerable, was produced by a small and temporary excess of demand beyond the immediate power of the collieries to supply. It is quite conceivable, therefore, that a situation might be created by an enhanced price of coal, following the enactment of an eight-hour law for miners, in which the immediate economic interests of employers and men engaged in the production of coal alike, might be opposed to the economic interests of the country at large."

The fact was that this rise in price of coal must always take place when there was a shortage of output. And how was this shortage of output going to be avoided? Hon. Gentlemen below the gangway told them that the men were going to work harder, and that machinery was coming to the aid of the Government in passing this measure by the invention of time-saving appliances. But the miners would have no inducement to work harder under the Bill than they worked under present conditions. In fact, they had no interest in preventing the Bill from having its natural effect in producing a shortage, as wages were dependent on the price of coal. There was nothing exceptional in this fact. They saw the same effect in other commodities. Why was the price of wheat in August 1907, 7s. 5d. more per quarter than in January in the same year? Did anyone suggest that wheat sold in August cost more to produce than that sold in January? It was a mere matter of supply and demand. There might be a suggestion that the number of miners would be increased. But he thought that Rule 39 of the Coal Mines Regulation Act placed a statutory impediment in the way of increasing the number of miners suddenly. That Rule said—

> "No person not now employed as a coal or ironstone getter shall be allowed to work alone as a coal or ironstone getter in the face of the working, until he has had two years experience of such work under the superintendence of skilled workmen, or unless he shall have been previously employed for two years in or about the face of the workings of a mine."

So that entirely disposed of the argument that they could quickly increase the number of miners. The argument for shortage was, therefore, absolutely made out. Again, they could not prevent shortage by cutting off the export of coal. The Departmental Committee explicitly declared—

> "We found that in past periods of scarcity the foreign buyer was prepared to pay the high

prices current, and to secure his full share of the annual product. In those years the export trade fully maintained its relative position."

They were certainly not going to make up the home supply by cutting off their export trade. He thought there was no doubt whatever that if there was to be a loss of time there would be a reduction of output, although he did not say for a moment that it would be equivalent to the full hours; and if there was a diminution in the output, he could not see why that diminution should not have the same effect as the diminution of demand and supply in other commodities. The enormous increase in the price of coal in 1872–3 was caused by an excess of demand over supply, and that demand was caused by a period of exceedingly good trade. In all other cases the same thing was seen; the price of coal had gone up by the excessive demand over supply, and not from the cost of production; but in this case they proposed to increase the demand, not at the moment of a natural increase of trade, but at the moment that the trade was excessively depressed. The Under-Secretary of State said that there were now a very great number of men working short time, and that they relied on these men working to make good their output shortage; but he also should have stated that these men were working short time because trade was bad and the winter exceptionally warm. He submitted that he had now made good the case that a shortage would occur, and that, as in other cases in the past, a rise of price might be looked for, out of all proportion to the rise in cost of production. And what would be the effect of this rise, whatever it might be, on the various interests involved? The position of the workmen was perfectly clear and consistent. They meant to get the same money for less work. What was the position of the owners? It was admitted that they were divided. There were a certain class of owners who said that they could make large profits during these temporary increases in price. The hon. Member for Bosworth said that the effect of the Bill would be to increase the price by 3d. to 6d. a ton at the pit bank; that it might cost half-a-crown at the end of twelve months, but that none would grudge that. And on the Second Reading of the Bill the hon. Member said that he regarded the effect of the Bill with the utmost equanimity, because the burden would not fall on his shoulders. The hon. Member added that if he shared all the advantages which a Welsh colliery possessed with the men who worked in the pit, he did not see that the increased cost would be any very great misfortune. The men would get better conditions of labour, and it would not necessarily reduce the profits of the producer of the coal. If he got that shilling out of his foreign customer he did not see why he should not cheerfully support the Bill. But other coal owners took a far-seeing view of the matter, like the hon. Member for St. Ives, who saw that the extra shilling would be got out of the British customer too; and that anything like a permanent serious increase in the price of coal would have an effect on the industries of the country. He now came to the third class, the consumer, who apparently had received very scanty consideration at the hands of the House. The hon. Member for Glamorgan said that this was an opportune moment to pass the Bill, because there were thousands of miners out of work. In order to remedy this evil, was it an opportune moment to throw thousands of men out of employment in other industries? He ventured to think that it was a very serious argument against this Bill that a question which the Government found difficult to deal with at present, namely that of the unemployed, was not made easier by it.

Mr. MARKHAM said he was not going to make a speech, he only wanted to read a telegram which he had received in the course of the debate. The Home Secretary said that he thought he had exaggerated the case when he stated that if a preference was given to Northumberland and Durham for six months it would greatly injure the Midland coal trade. He had received from the managing director of the largest colliery company in the Midlands a telegram in which he said—

"Six months preference to North of England means absolute ruin to Yorkshire and Derbyshire shipping trade next year——"

[Loud cries of "Oh!"]—It was practically correct in his opinion—

> "and should be strongly opposed."

The condition of the coal trade was one of extreme depression. He was going down that night to a colliery in South Yorkshire where the men were working three days a week, and he would be asked by the colliers to-morrow: "Why are we not working longer time?" The 4d. or 6d. preference or whatever it was which they were going to give to the North meant that they would be working short time in the Midlands, whereas they would have a fair share of the trade if the preference had not been given. He strongly protested against this preference being given seeing that the North of England had had three years in which to make their arrangements, and if they could not do it in that time they certainly could not do it in six months.

Mr. SAMUEL ROBERTS (Sheffield, Ecclesall) said he wished to confirm what the hon. Member had said. He had it from the Secretary of the South Yorkshire Coal Owners' Association that this six months preference which the Government proposed would be most detrimental to the coal trade of South Yorkshire and Derbyshire. He hoped the Under-Secretary would bear in mind this point and in another place see if he could not make the Act commence at one period for all the coal districts in the country. If he could do that and give every district an equal opportunity it would be a great improvement.

Question put.

The House divided:—Ayes, 264; Noes, 89. (Division List No. 452.)

AYES.

Abraham, William (Cork, N. E)
Abraham, William (Rhondda).
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Ambrose, Robert
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beauchamp, E.
Beaumont, Hon. Hubert
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crossfield, A. H.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulhan)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.
Dickinson, W. H. (St. Pancras, N
Dilke, Rt. Hon. Sir Charles
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Field, William
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hay, Hon. Claude George
Hedges, A. Paget
Helme, Norval Watson
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kettle, Thomas Michael

Kincaid-Smith, Captain
King,Alfred John (Knutsford)
Laidlaw, Robert
Lamb,Edmund G. (Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lever,A.Levy (Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, JM.(Falkirk Bghs.'
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh,Charles (Donegal, E.
M'Crae, Sir George
M'Hugh, Patrick A.
M'Kenna, Rt. Hon. Reginald
M'Laren, HD. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John (Kerry, East)
Murray,Capt.Hn A.C.(Kincard.
Nannetti, Joseph P.
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholson,CharlesN.(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly,James(Roscommon,N.
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rea, Russell (Gloucester)
Richards,Thomas (W.Monm'th
Richards,T.F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Rutherford, John (Lancashire)
Rutherford, V. H. (Brentford)
Samuel,Rt.Hn.H.L.(Cleveland
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Seely, Colonel
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Staveley-Hill, Henry (Staff'sh.
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas,Sir A.(Glamorgan, E.)
Thomas,David Alfred (Merthyr
Thompson,J.W.H.(Somerset,E
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philip
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,John(Stoke upon Trent)
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh
White, Sir Luke (York, E.R.)
Whitehead, Rowland
Whitley,John,Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson,Henry J. (York, W.R.)
Wilson, John (Durham, Mid.)
Wilson, J. H. (Middlesbrough)
Wilson,P.W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES— Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hon.SirH.
Baldwin, Stanley
Balfour,Rt Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Barrie,H.T. (Londonderry, N.)
Beck, A. Cecil
Beckett, Hon. Gervase
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain,Rt Hn.J.A.(Worc.
Coates,Major E. F.(Lewisham)
Cory, Sir Clifford John
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir Fred Dixon
Douglas, Rt. Hon. A. Akers
Du Cros, Arthur Philip
Faber, George Denison (York)
Faber,Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Guinness,Hon.R.(Haggerston)
Guinness,W.E.(Bury S. Edm.)
Hardy,Laurence (Kent,Ashf'rd
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hope,JamesFitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joyson-Hicks, William
Kennaway,Rt.Hon.Sir John H.
Kerry, Earl of
King,Sir HenrySeymour (Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col. A.R.
Long,Col.Charles W. (Evesham
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lupton, Arnold
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)

Mason, James F. (Windsor)
Middlemore,JohnThrogmort'n
Mildmay, Francis Bingham
Morrison-Bell, Captain
Nicholson,Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renwick, George
Ridsdale, E. A.
Roberts,S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Salter, Arthur Clavell
Smith, Abel H. (Hertford,East)
Stanier, Beville
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Walker, Col.W.H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York,E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C.B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Lord R. Cecil and Viscount Castlereagh.

Main Question put, and agreed to.

Bill read the third time, and passed.

LONDON ELECTRIC SUPPLY BILL [LORDS]

(BY ORDER.)

As amended, considered.

A Clause (For the protection of the Admiralty and the Royal Observatory, brought up, and read the first and second time, amended, and added to the Bill.

*MR. MORTON (Sutherland) said the object of the Amendment in his name on the Paper was to preserve to the Corporation the full control over the streets of the City given to them by Section 133 of the City of London Sewers Act of 1848, which is in the following terms—

> "And be it enacted, That no company or person shall take up the pavement or otherwise disturb the surface of any street, for the purpose of laying down, altering, or moving any pipe, or for any other purpose whatsoever, without the previous consent in writing of the Commissioners under the hand of the clerk, every such consent to state the name of the street in which the pavement is permitted to be taken up, and the number of square feet of pavement which may be removed or disturbed; and if any company or person shall take up or disturb the pavement or surface of any street without previous consent as aforesaid or shall take up or disturb a greater number of square feet of pavement or surface than shall be permitted by such consent, every company or person so offending shall forfeit and pay the sum of 40s. for every square foot of Pavement which shall be taken up or disturbed."

It was true that for various purposes, such as water and gas supply, telegraphs and telephones, and electric lighting, special powers of opening streets had been given by Parliament to various bodies, but all those had been for services required by the City itself. In the present case, however, the chief idea was to enable the companies by linking up to deal with or assist each other in dealing with the supply of electricity for power purposes. It was admittedly the case that the City contained but very few considerable users of electricity for power purposes, and the Bill was not needed for supplying them. "Linking up" work would therefore be done for the benefit of other districts, and it was to prevent the City streets being broken up that the Amendment was asked for. The City was like the hub of a wheel, towards which all the services involving the breaking of streets converged, and consequently the streets there were packed with ducts, mains, pipes, wires and other works, the demands upon which were of a very onerous and concentrated character, necessitating openings more frequently than in any other area of a similar size. According to the evidence given before the Royal Commission on London Traffic in 1903—that was five years ago—the number of openings of the streets of the City by the Post Office and companies were over 9,000 in number, over 6,000 of which were in main streets. It was, therefore, imperative to prevent unnecessary openings, such as the Corporation believed would be made under the powers of this Bill. The withholding of the Corporation's consent would at the worst mean only that the linking up mains would have to be taken a little further round instead of going across the City. Of course, if the companies could show that linking up was needed for the benefit of City users of electricity there need be no fear that the Corporation would place the least obstacle in the way of such work. The inconvenience, delay and loss to the public caused by opening the streets of the City were so serious and aggravated in the case of the City that the Corporation felt amply justified in asking for the special protective clause, of which notice had been given, and was now moved. Over 100,000 vehicles and

1,250,000 people went in and out of the City every day. It was a question of the management of the trade and business, not only of London, but a large part of the world, and he hoped they would have the assistance of the Board of Trade in this matter. The constant problem before the City was the management of the traffic. He moved.

MR. REMNANT formally seconded.

New clause—

"In page 14, after Clause 15, to insert the following clause: Nothing in this Act shall authorise an authorised undertaker to break up or open any street or lay any electric main or other work for the purposes of this Act in or along any street, or part of a street, within the City of London, except with the consent in writing of the Mayor, Aldermen, and Commons of the City of London in Common Council assembled.' "—(*Mr. Morton.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee) said the Amendment would give the Corporation an absolute veto. The Amendment was placed before the Committee and was rejected without the promoters being called upon. He could not ask the House to give the Corporation an absolute veto against laying mains which might be necessary; but if it would satisfy the hon. Gentleman he would accept the Amendment with the words added at the end: "Or failing that consent, with the consent of the Board of Trade."

MR. MORTON: I accept that.

SIR EDWIN CORNWALL (Bethnal Green, N.E.) regretted that the right hon. Gentleman had so readily conceded this proposal. If it was conceded to the City then it ought to be conceded to all the other authorities outside. It was a very serious thing for the House to concede such a privilege to the City without giving the same privilege to the other authorities. He hoped the House would resist the proposal. It was true that the traffic was very heavy in the City, but it was quite as heavy in Piccadilly and at Hyde Park Corner, and therefore it was not desirable that this concession should be given to the City alone.

*SIR LUKE WHITE (Yorkshire, E.R., Buckrose) said it was quite true that this clause was placed before the Committee and that the Committee ultimately, after hearing all the arguments, came to the conclusion that the City in this matter did not stand alone, and that if such a clause was accepted it should be extended to the many borough authorities around London. The Committee was unanimous in its decision, and he therefore hoped the House would not agree to this proposal. He hoped the House would protect the interests of the whole of London and not grant a privilege to any particular portion without extending it to the whole of the county.

MR. BOWLES (Lambeth, Norwood) asked what view the right hon. Gentleman took of the effect of his acceptance of this clause and what was the general attitude that he intended to take up with regard to the other districts generally affected. He did not know whether the right hon. Gentleman had thought it right to make a difference between every local body and the Corporation of the City of London. He thought it rather strange that the right hon. Gentleman should accept the clause, as he rather gathered that he did, because it gave a very considerable and palpable preference to the City Corporation over all the other local bodies of London. He hoped that the President of the Board of Trade would give them some explanation of his views on the point. Were all the local bodies being equally affected?

MR. LOUGH (Islington, W.) said it seemed to him that the addition which the right hon. Gentleman made to the clause made it exactly the same as subsection (4) of the first clause. He was intensely anxious to agree with his hon. friend the Member for Bethnal Green, who he knew was a sturdy guardian in all matters of electricity which interested Metropolitan bodies. But he had studied the clause, and he could not see the difference in principle, except a sort of recognition of the ancient rights of the City, by naming its authority in Common Council assembled and all that sort of thing. He could not see any difference in principle between the two clauses, and he should like to hear some information as to these words, in order that they might see whether there was any difference between the position in which the City stood and the position of any other local authority.

MR. CHURCHILL said there was a very great difference between the two clauses as his right hon. friend would see. In the first place all disputes would be settled by an arbitrator appointed by the Board of Trade, and there were other minor matters. In the second place, if the City withheld its consent it would be open to the Board of Trade to give its consent. He was not prepared to say for a moment that the City of London was on all fours with every other borough in or out of London, and he thought that in regard to the traffic problem, great as it was in many parts of London, it was unquestionably greatest in the City area. He was only anxious as far as possible to give attention to all the views which were put forward, and which could be reasonably sustained in that House. All he said on behalf of the Board of Trade was that he did not resist the Amendment of the hon. Gentleman if he pressed it.

MR. DICKINSON (St. Pancras, N.) trusted that his hon. friend would not insist upon this Amendment, which came upon him as an absolute surprise as a proposal which was to be accepted by the Government. There were two or three important points raised by it. Surely the right hon. Gentleman had embarked upon a very difficult and controversial subject. First of all there was the question as to who was to have authority as to the laying of the mains in the streets. There was no reason why an authority should be exercised by the City of London which was not exercised by any other borough in London. Under the Amendment which was now moved together with the words which the right hon. Gentleman suggested, if there was any dispute, it would be open to the Board of Trade to give its authority. He ventured to say that this was the first occasion that the Board of Trade was brought in to exercise its authority in these matters. The right to break up the streets was subject to the approval of the local authorities, and notice was to be given to the London County Council. He did not know that the London County Council had been consulted with regard to this question, and he could hardly believe that the members of that body would give their assent to this proposal, namely, that where it was a question between a private company and the local authority of breaking up the streets, it should be left to the Board of Trade. It would be very much wiser to keep the Department out of the government of London as much as possible, and this innovation was very unwise. He should not have spoken, but he had not the slightest idea that this Amendment was going to be approved. It was rejected in Committee, and he thought that it would have been rejected in any Committee.

MR. CHURCHILL said it was rejected on its merits. There was a very great difference between giving the City of London an absolute veto in regard to any construction in their area, and giving them a veto which, whenever they exercised it, might be reversed by an appeal to the Board of Trade.

MR. ABEL THOMAS (Carmarthenshire, E.) said he might state as Chairman of the Committee that they were unanimous that no exception of this sort should be given to the City of London, because in existing circumstances many other local authorities ought to have the same.

MR. DICKINSON said that was the point which he was making. It was rejected on that broad ground. He had heard it over and over again in Committees of that House, that whenever they dealt with one particular part of London they ought to deal out the same treatment to other parts. But this was a precedent which they were setting up in regard to breaking up the streets of London. If they were going to say that there was to be an appeal from the local authorities to the Board of Trade then he respectfully submitted that they were introducing into legislation with regard to London a totally new principle, and one which he believed the local authorities and the London County Council would strongly resent. The Board of Trade was not the authority, if there was to be any authority, to decide this question. The right hon. Gentleman had a very generous character, but he earnestly hoped that instead of being persuaded by his hon. friend below the gangway, he would leave this matter alone.

Question put.

The House divided:—Ayes, 28; Noes, 198. (Division List No. 453.)

AYES.

Arkwright, John Stanhope
Carlile, E. Hildred
Coates, Major E.F. (Lewisham)
Courthope, G. Loyd
Cowan, W. H.
Elibank, Master of
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.
Fell, Arthur
Gardner, Ernest
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Helmsley, Viscount
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Lamont, Norman
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
Meysey-Thompson, E. C.
Middlemore, John Throgmorton
Nicholson, Wm.G. (Petersfield)
Pearce, Robert (Staffs, Leek)
Rawlinson, John Frederick Peel
Thornton, Percy M.
Waring, Walter
Wilson, J. H. (Middlesbrough)

Tellers for the Ayes—Mr. Morton and Mr. Claude Hay.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland-Hood, Rt Hn. Sir Alex. F.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Baldwin, Stanley
Balfour, Robert (Lanark)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barrie, H.T. (Londonderry, N.)
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Berridge, T. H. D.
Bethell, Sir J.H. (Essex, Romf'rd
Boland, John
Bowerman, C. W.
Bowles, G. Stewart
Brace, William
Brunner, J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cherry, Rt. Hon. R. R.
Clough, William
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins, Sthepen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Crosfield, A. H.
Curran, Peter Francis
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Esslemont, George Birnie
Everett, R. Lacey
Fenwick, Charles
Field, William
Fletcher, J. S.
Gill, A. H.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gooch, Henry Cubitt (Peckham)
Griffith, Ellis J.
Gulland, John W.
Hall, Frederick
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harris, Frederick Leverton
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hedges, A. Paget
Higham, John Sharp
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Joynson-Hicks, William
Kekewich, Sir George
King, Alfred John (Knustford)
Lamb, Edmund G. (Leominster
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St. Pancras, E.
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marnham, F. J.
Mason, James F. (Windsor)
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Morse, L. L.
Murray, Capt. Hn A.C. (Kincard)
Nannetti, Joseph P.
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Kelly, James (Roscommon, N)

Parker, James (Halifax)
Paul, Herbert
Pearce, William (Limehouse)
Pease,HerbertPike(Darlington)
Pease,RtHnJA(SaffronWalden
Pollard, Dr.
Power, Patrick Joseph
Pretyman, Ernest George
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rea, Russell (Gloucester)
Renwick, George
Richards,Thomas(W.Monm'th)
Richards, T. F.(Wolverh'mpt'n
Ridsdale, T. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield,Ecclesall)
Robertson,Sir G.Scott(Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rowlands, J.
Rutherford, John (Lancashire)
Rutherford, V. H. (Brentford)
Salter, Arthur Clavell
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shaw, Rt. Hn. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stanier, Beville
Stanley, Albert (Staffs, N.W.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas,David Alfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent)
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White,J.Dundas(Dumbart'nsh
White, Sir Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Dickinson and Sir Edwin Cornwall.

MR. CHURCHILL: The object of this new clause is to prevent the Company endeavouring to increase its revenue for the remainder of its term by raising the prices charged to consumers after a notice has been served on it by the London County Council that it is liable to purchase. The Amendment is desired by the London County Council in the interests of the public, and it is, I understand, agreed to by the promoters.

New clause—

"From and after the date when the council gives notice to purchase the undertaking of a supply company, it shall not be lawful for that company, except with the consent of the Board of Trade, to increase its charges for a general supply, as defined in the Schedule to the Electric Lighting (Clauses) Act, 1899. If at any time after the aforesaid date the Company makes any higher charge for electricity supplied to any consumer under agreement than had been charged for a similar supply under similar conditions during the period of twelve months immediately preceding that date, the consumer affected may appeal to the Board of Trade who, if they consider that the increase is unreasonable, may make an order requiring the Company to reduce the charge accordingly, and any such order shall be binding on the Company."—(*Mr. Churchill.*)

Brought up and read the first time and added to the Bill.

MR. CHURCHILL: The object of this Amendment, together with the consequential Amendments to be proposed on Clauses 3 and 4 is to enable the promoters of the Bill and the promoters of the London, Westminster and Kensington Electric Supply Companies to link up their systems of supply. This Bill gives the power to one group of companies to link up their supply between themselves and another Bill which is later to be brought forward and considered this evening gives power to another company to link up among themselves. This Amendment gives power to the two groups to link up reciprocally between each other and to unite. The Amendment is desirable in the public interest and in the general interest of an efficient and economical system of electric supply in London, and I recommend its acceptance to the House, although I understand some hon. Gentlemen have some observations to make upon it to which, perhaps, a reply may be made later.

Amendment proposed—

"In page 3, line 30, at end, to insert the words 'The expression "specified companies," means "the Kensington and Knightsbridge Electric Lighting Company, Limited, the Notting Hill Electric Lighting Company, Limited, the St. James and Pall Mall Electric Light Company, Limited, the Westminster Electric Supply Corporation, Limited, and the Central Electric Supply Company, Limited;" and each of such specified companies is in this Act referred to as a specified company.'"—(*Mr. Churchill.*)

Question proposed, "That those words be there inserted."

*Mr. DICKINSON said this was an Amendment which had a much more important bearing than would appear on the face of it. The Bill, as it stood, dealt with eight companies out of fourteen in London, and as it was introduced in the House of Lords it proposed to bring into its provisions all the fourteen companies of London, and thereby proposed to give them all powers to link up and the advantages which they would possess by such linking up, and it also placed upon them the obligation of becoming liable to purchase by the London County Council, or some other public authority, in consideration for the advantages which were conferred upon them by enabling them to be linked up In the Committee of the House of Lords, the six companies were cut out of the Bill, and it went before a Committee of this House as a Bill dealing only with the eight companies. The Committee enlarged the scope of the Bill by giving the power to link up, not only to the eight companies, but also to the local authorities, and as such it had come down to the House. But as it passed the Committee, it did not provide for the linking up of the six companies which had been left out in the cold, so to speak, by the House of Lords. The Board of Trade, he admitted, with considerable reason, thought some course should be taken now, whereby all the fourteen companies should be linked-up, so that the public would have the advantage of all the undertakings being connected, and being able to help each other. But in doing so a result was brought about which was certainly not contemplated at an earlier period of the Bill, and that was that these six companies would have all the advantages of the linking up of the system, and nevertheless were not subjected to the obligation of purchase by the County Council imposed upon the other companies, and therefore, whereas they got the advantages they had asked for, they still remained with the possibility, a very real possibility, of being able to escape purchase altogether owing to the fact that they were only left purchasable by the local authorities. He had put down Amendments at a later stage of the Bill, which would have applied the purchase clause to the six companies as it was applied to the eight companies, and if that were possible to be done it would bring about what he admitted would be a satisfactory solution, namely, that all the fourteen companies should be linked together and fall into the possession of the London County Council in 1931. But, unfortunately, he understood that although it would be in order to move those Amendments, it would necessitate the recommittal of the Bill, and under those circumtances it could hardly go forward, and the only choice he had was to object to the inclusion of these six companies in the Bill as proposed by the Amendment. He did not know whether the right hon. Gentleman would be able to make any suggestion which would obviate the difficulty. If not, he felt certain the House would be making a mistake in admitting the six companies. They should rather leave them to the provisions of their own Bill in a position in which they could link themselves together, and would be subjected to a more or less efficient clause, by which they promised not to oppose any proposal made by the County Council in future years, than admit them to this very valuable privilege, and allow them to escape the liability to purchase.

Mr. CHURCHILL said the position had been correctly stated by the hon. Member and it arose from a difficulty for which he was certainly not responsible. When the Bill was before the House before it went to Committee, he moved an instruction on the London Electric Supply Bill collecting all the powers of purchase possessed by borough councils, and authorising the Committee to vest them in the London County Council. He would have moved a similar instruction in regard to the London and Westminster Company, but he could not do that, because Mr. Speaker, whom he consulted, ruled that it would not be in order on account of notice not having been given. The matter was complicated and very technical in its details, but notice was not given to the parties affected with regard to the second of these two Bills, and, therefore, what was in order on the instruction in the first would not be in order in regard to the second. That being so, they did the next best thing, and said to the second company: In consideration of our giving you these linking up powers, we will exact from you a pledge that at no future time shall you oppose any Bill which shall be brought in either by the London County Council, or by the Government of the day, to authorise the transference of the purchase rights to the London County Council. To this they agreed. Therefore, the matter now stood that this group of companies with which they were dealing in this Bill were, of course, to have their purchase liabilities transferred. But the second group of companies only bound themselves not to oppose any such scheme in the future. Meanwhile, by this Amendment, the second companies were admitted to the advantages of the first, and without in the same way coming under the whole liability of the first. But let them see where they stood. They still had against them the purchase rights, which were not diminished in any respect, only they would be exercised against them by the individual boroughs instead of by the London County Council, and until a Bill had been introduced, doing for this second group of companies what this Bill did for the first, that position would still continue. He agreed that that period ought to be as short as possible, and so far as it was possible to govern the future he gave the undertaking on behalf of the Government and the Board of Trade that they would, at the earliest possible moment compatible with the procedure of the House in private Bill legislation, produce a Bill in order to transfer the purchase rights operative against the second of those two groups of companies to the London County Council in exactly the same manner as were those rights in regard to the first. That pledge publicly given would, he thought, safeguard the very valuable and proper point to which the hon. Member had drawn attention.

Question put, and agreed to.

Consequential Amendments agreed to.

MR. CHURCHILL moved to insert at the end of Clause 3 the following protective section: "If the specified companies, or any of them, exercise any powers under the provisions of this Act they shall, in respect of the exercise of such powers, be subject to the provisions of this Act to which authorised undertakers would be liable in the exercise of similar powers, and for that purpose the expression 'authorised undertakers' in this Act shall mean and include such specified companies or company." He said this was a protective clause which had been agreed upon with the companies. The First Commissioner of Works had exercised the most rigid and zealous supervision in regard to the proposals of the companies, and under the Amendment the Office of Works had inserted that a particular company was not allowed to do anything in its area, but when they were all linked up it would be possible, under certain conditions, for another company to come in and do in another area what it would not be entitled to do in its own area. It was to stop that danger which might perhaps capsize the admirable provision made by his right hon. friend that he ventured to move this protective clause.

Amendment proposed—

"In page 4, line 27, at end, to insert the words 'If the specified companies, or any of them, exercise any powers under the provisions of this Act they shall, in respect of the exercise of such powers, be subject to the provisions of this Act to which authorised undertakers would be liable in the exercise of similar powers, and for that purpose the expression 'authorised undertakers' in this Act shall mean and include such specified companies or company.' "—(*Mr Churchill.*)

Question proposed, "That those words be there inserted."

MR. BARNARD (Kidderminster) said he desired to move a very small Amendment to the Amendment which had just been moved by the President of the Board of Trade, namely, to insert after the word "provisions" the words "or for the purposes."

Amendment to the proposed Amendment proposed—

"In line 2, after the word 'provisions,' to insert the words 'or for the purposes.' "—(*Mr. Barnard.*)

Question proposed, "That those words be there inserted."

Question put, and agreed to.

Amendment, as amended, agreed to.

Consequential Amendments agreed to.

MR. WALTER GUINNESS (Bury St. Edmunds) moved to amend Clause 4 by adding a proviso that the provisions of the sections should extend and apply to the London County Council as if they were a local authority. His object was to give the London County Council concurrent powers with the borough councils in deciding which routes the mains should run. The important part of the clause was contained in subsection (4), which gave the local authority the power to object to any proposed line on the ground that it was going to pass through a busy street, and in that case they could suggest an alternative route which would have to be adopted if the arbitrator thought it was reasonable, practicable, and did not involve unreasonable expenditure. The County Council also desired to have on this point the same power as the local authority to decide which routes should be followed by the new mains. The borough councils claimed to be heard because they were the road authority, but the County Council had an equal claim because they owned the tramways and the large connecting sewers which ran through the principal thoroughfares, and in a considerable number of places they had subways. It was, therefore, obvious that unless they had power to be heard their interests in many cases might suffer. This was no new proposal. In every case where the County Council had claimed this right it had been granted, and as precedents he might mention The Metropolitan Electric Supply Act, 1905, The North Metropolitan Electric Supply Act, 1905, The Central Electric Supply Companies Act, 1899, and in the last three bulk supply Bills. He thought the London County Council had a far greater claim under the present Bill than they had ever had before, because they would be the future owners of the electric supply companies in London, and they ought to have the right to be heard before the arbitrators as to how these new mains should be laid down and where they should be placed. He hoped the President of the Board of Trade would see his way to accept this Amendment.

MR. H. GOOCH (Camberwell, Peckham) formally seconded the Amendment.

Amendment proposed—

"In page 6, line 9, to insert at the end, the words 'and the provisions of this subsection shall extend and apply to the London County Council as if they were a local authority.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

*SIR LUKE WHITE said that the substance of this proposal was brought before the Committee on behalf of the London County Council, and it was strongly opposed by the borough councils throughout the Metropolis. The Committee were unanimous in their decision that in respect of this linking up system there should not be a dual authority set up in London. The Committee were also opposed to the London County Council having within a borough the same powers as the borough itself, which at present was the road authority. Under this particular Bill the London County Council would be able to purchase the interests of the company in 1931, and if they purchased at that particular period they would then obtain all the powers which the companies at present possessed with regard to the roads and streets of the Metropolis. In the meantime and until 1931 the Committee were unanimously of opinion that the borough council should remain the road authority, and that any proposals with regard to their streets and the manner in which those streets should be broken up should remain vested in the borough councils as at the present time. He trusted that the House would support the Committee in the decision they had come to after considering all the circumstances with regard to the Metropolis, and the interests not only of the London County Council, but of the boroughs as well. The Committee were unanimous that the borough councils should remain the sole authority in regard to the breaking up of their streets. Supposing they passed the proposed provision in all similar Bills proposed to the House of Commons by such bodies as the Metropolitan Water Board, the gas companies, and various other companies, the County Council would have equal claim to be constituted the road authority, and there would be confusion worse than existed at the present time.

SIR EDWIN CORNWALL said they had before them an object lesson of the extraordinary position of London with regard to local government, the breaking up of the street, and other similar questions. They had the hon. Member for Bury St. Edmunds moving on behalf of the London County Council, a proposal which was not in sympathy with the Bills promoted by a past London County Council, and on behalf of the present London County Council the hon. Member was asking the House to recognise the London County Council as being responsible for the matters raised in his proposal. On the other hand they had the Chairman of the Committee asking the House to resist the Amendment proposed by the hon. Member on behalf of the London County Council. How was London to bring itself into some system of unification when both sides in municipal politics came to the House and agreed to join hands in recognising the London County Council as the authority in matters of this kind. In the face of this fact they had hon. Members greatly interested no doubt in doing the best they could for London but representing other parts of the country without having all the responsibilities which many of them had had for a large number of years of advising the House. in these matters. They all knew that the London County Council, whatever party might dominate it, had to bear the responsibility of many of the ills that London suffered from from time to time. A cartoon appeared in a well-known weekly paper issued in London as to the County Council being responsible for the breaking up of the streets. The London County Council was not responsible for that, but they asked that the Council should be put in a position to be able to control important matters of that kind. He supported the Amendment and hoped it would be passed.

MR. CHURCHILL said he did not know that the House would be willing to follow the advice of the hon. Member for the Buckrose division, who was Chairman of the Committtee which investigated these Bills. While this was not a matter on which he desired to force a Ministerial opinion on the House, after careful reflection he should certainly be disposed to support the Amendment moved by the hon. Gentleman opposite. The hon. Member had put down the Amendment in a form which he thought was rather a duplication of the Amendment to Clause 15. He should be prepared to support the Amendment to Clause 15 when reached. He thought if the words now proposed were inserted at the end of sub-clause 4, that would be a better form and a more convenient place. The addition which the hon. Member now proposed and the Amendment which he would move to Clause 15 would together achieve his object. What was that object? He thought it was a very innocent one. All it was proposed to do was to give the County Council the same power of revision in regard to the laying down of linking-up mains which they already possessed in regard to distribution mains; and he thought they were entitled to that power, not only as the authority over the streets of London, but as the authority which one day, he hoped, would possess the unified system. Without in any degree wishing to traverse the very vaulable and important opinion expressed by the hon. Member for the Buckrose division or impugning the view he had put forward, he himself would vote in favour of the Amendment.

LORD R. CECIL, on behalf of the borough council of St. Marylebone, hoped the House would uphold the decision of the Committee and not accept the Amendment. If there were two authorities there would be great addition to the complications and expenditure. From the point of view of roads the County Council had no jurisdiction. [Cries of: "They ought to have."] That was a totally different proposition and an irrevelant interruption. As the law stood there was no reason why the County Council should be consulted any more than the owners of other pipes or mains under the street.

Mr. FLETCHER (Hampstead) quite admitted that sooner or later the London County Council would have larger powers in this connection as a sort of appeal court; but as matters now stood it was an unfortunate phrase to associate the Council with the powers of a local authority. There certainly was no intention on the part of promoters of the Bill to transfer powers from the local authority to the Council. He moved the addition of the words: "Without prejudice to the rights, powers, and privileges of any local authority."

Mr. CLAUDE HAY (Shoreditch, Hoxton) seconded the Amendment.

Amendment proposed to the proposed Amendment.

"At the end, to add the words 'without prejudice to the rights, powers, and privileges of any local authority.'"—(*Mr. Fletcher.*)

Question proposed, "That those words be there added to the proposed Amendment."

*Sir LUKE WHITE said this would simply be to state the existing position.

Mr. CHURCHILL said he could not accept that. It seemed to him that these words would reduce the drafting of the clause to mere verbiage, so far as it operated at all. The Amendment would leave the local authority possessed of exactly the same privileges as they possessed at the present time.

Mr. BOWLES said the incident which they had just witnessed might be taken as a real indication of the effect of the clause. The hon. Member did not move his Amendment in the form in which it stood on the Paper. In the form in which it appeared on the Paper the words proposed by the hon. Member for Hampstead were included, and yet it was suggested that the insertion of the words would reduce the Amendment to nonsense. The real truth, of course, was that this clause invaded the rights, powers, and privileges of every local authority concerned. That was a very serious thing, and one which he submitted ought not to be done without the greatest consideration of all the complicated questions which were concerned, or which might be concerned as a result of this alteration, and certainly not under the present circumstances in the direct face of the unanimous Report of a Committee, composed without distinction of party. The real effect of the Amendment, as it stood, appeared to be doubtful. He could not help thinking that if they were to decide on this matter now they should have the advice of the Law Officers of the Crown. It was quite clear that the effect of the Amendment would have very far-reaching consequences. Although he was no lawyer he could not understand how the House of Commons or any reasonable man could say that such a system as this clause proposed could be accepted or could work, for they were setting up a system of dual control. They were superseding one authority for dealing with the roads for one particular purpose by other authority for dealing with them for another purpose. It might well be that Parliament had chosen the wrong authority for dealing with the roads of London. He quite understood hon. Gentlemen opposite saying that they had. He himself was of opinion that all the roads in London ought to be under the control of the London County Council. But Parliament had, rightly or wrongly, decided that in dealing with the roads of London the London County Council was not the only authority, but that certain bodies which they had set up, viz., the Metropolitan borough councils, should have the control. It was an extraordinary thing that in relatively small matters an exception should be made to that general rule and that they should refuse to trust the great local representative bodies to whom Parliament had already committed these matters. He regarded the proposal in the Bill as a perfectly gratuitous and unnecessary restriction upon the powers of the Metropolitan borough councils. In the second place, he was afraid of this aspect of the case—that many of these proposals were the outcome of an extraordinary spirit, which he could only describe as a megalomania that affected otherwise reasonable persons who had at any time occupied a seat on the London County Council. He was bound on every consideration to support the Amendment.

Mr. WATERLOW (Islington, N.) thought that there was some confusion in the minds of hon. Members as to the effect of the Amendment. With the Amendment as it now stood, he was in entire sympathy. Some hon. Members who had spoken did not seem to realise that in many of the streets of London there was already dual control; viz., in the great bulk of the lines of streets where the electric-lighting companies' mains were laid. There, the London County Council had control. Then, the London County Council had control on all lines of streets where the main sewers ran. The London County Council in that respect required to have a say on those lines of streets where new electric lighting mains were to be laid. Again, on all main roads where London County Council tramways ran, the cost of two-thirds of the road was contributed at the present time both as to maintenance and keeping them in proper repair. For these reasons, he thought the London County Council should have a right to say where those electric mains were to be laid.

*Mr. H. GOOCH said that whatever might be said of the London County Council it could not be alleged that they suffered from lack of employment. No one wished that their employment should be seriously increased in any respect. The point of the Amendment was simply that the London County Council had considerable interests underground and it was only fair that they should be able to look after, to the best of their ability the interests of London as a whole. The London County Council was the only body which could look after or speak for London as a whole.

Mr. DEPUTY-SPEAKER said he thought that it would be better to settle first the Amendment to the Amendment, and then go on to the discussion of the principal Amendment.

Mr. WALTER GUINNESS said the hon. Member for Norwood seemed to assume that the words were put down to protect the rights and interests of the borough councils and that those rights and interests were being invaded. There was, however, another alternative, viz., that the words were unnecessary. He could not, however, see any possible harm in accepting them so as to make it quite plain that there was no intention to invade the rights and powers of the Metropolitan borough councils. If they did that they could get on with the discussion on the main issue.

Question put.

The House divided:—Ayes, 43; Noes, 192. (Division List No. 454.)

AYES.

Abraham, William (Cork, N.E.)
Acland-Hood, Rt. Hn Sir Alex. F
Ambrose, Robert
Arkwright, John Stanhope
Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Bowles, G. Stewart
Carlile, E. Hildred
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Fell, Arthur
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S.Edm.)
Helmsley, Viscount
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morton, Alpheus Cleophas
Nannetti, Joseph P.
Nicholson, Wm. G. (Petersfield)
Pease, Herbert Pike (Darlington)
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Roberts, S. (Sheffield, Ecclesall)
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Stanier, Beville
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount

Tellers for the Ayes—Mr. Fletcher and Mr. Claude Hay.

NOES.

Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Berridge, T. H. D.
Boland, John
Bowerman, C. W.
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Churchill, Rt. Hon. Winston S.
Clive, Percy Archer
Clough, William
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cowan, W. H.
Crosfield, A. H.
Curran, Peter Francis
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Field, William
Fuller, John Michael F.
Gill, A. H.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt. Hn Sir W. Brampton
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Hardie, J. Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Holland, Sir William Henry
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennaway, Rt. Hn. Sir John H.
Lamb, Edmund G. (Leominster)
Lambert, George
Lamont, Norman
Lea, Hugh Cecil (St. Pancras, E)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Lynch, H. B.
Macdonald, J. R. (Leicester)
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S)
MacVeigh, Charles (Donegal, E.)
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Magnus, Sir Philip
Mallet, Charles E.
Manfield, Harry (Northants)
Marnham, F. J.
Masterman, C. F. G.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Murray, Capt. Hn A. C (Kincard.
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Kelly, James (Roscommon, N
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pease, Rt Hn J A (Saffron Walden
Pollard, Dr.
Power, Patrick Joseph
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rea, Russell (Gloucester)
Renwick, George
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rowlands, J.
Rutherford, V. H. (Brentford)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Villiers, Ernest Amherst
Vivian, Henry
Walsh, Stephen
Ward, John (Stoke-upon-Trent)
Waring, Walter
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wilkie, Alexander
Williams, J. (Glamorgan)
Williamson, A.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Stephen Collins and Mr. Wiles.

Original Question, "That those words be their inserted," again proposed.

*MR. RUPERT GUINNESS (Shoreditch, Haggerston) hoped the members of borough councils who took part in the division on the Amendment would appreciate that the County Council did not want to take away any of their powers, because those who represented the County Council voted for the last Amendment. All they wanted was that the County Council should be represented before the arbitrator, and it seemed to be necessary and important that they should have some voice in the route which mains followed, especially as they had a large number of sewers and all the tramways and would eventually own the property. He should like to press that this Amendment should form part of the Bill, because they would want very considerable powers in order to take over the undertakings when 1931 arrived.

Amendment agreed to.

Consequential Amendments agreed to.

*MR. B. S. STRAUS (Tower Hamlets, Mile End) moved to substitute £4 10s. for £6 15s. as the limit which might be charged per kilowatt by the company. He said he moved this because it was the limit inserted in the original Bill of the company, and he could not, for the life of him, understand why it should have been increased from £4 10s. to £6 15s. He thought it was due to the House to explain the position. When this Bill went to the Lords numerous clauses were left out because that House only considered the question of linking up, and this clause went out with many others. When the measure came before the Committee of the House of Commons, which was ably presided over by the Chairman sitting on his left, it appeared that the Committee insisted quite rightly on the company inserting in the Bill a maximum. Then the company, he could not understand why, inserted the amount of £6 15s. instead of the amount in the original Bill which appeared on page 23, line 15, as £4 10s. per kilowatt. There were also measured maximum tolls for all energy supplied in the original Bill only instead of ½d. for every unit they had ·5 of a penny, which he approved of as he supported the decimal system. It was the bounden duty of Members of the House to consider in what way consumers would be affected in this matter, and there was no question that even £4 10s. was such a price that it would not pay people to use electricity in bulk to any great extent. The higher the maximum the greater the leverage upon the company to get a larger amount from the users of current. The consequence was that he thought the best thing was to put the maximum as low as possible, and there was no reason why they should not adopt the proposal of the promoters and make it £4 10s. as his Amendment would do. He would point out that the railway companies all had maximum rates, and they continued to use the existence of those rates as an argument for their charges. They pointed out how low their charge was as compared with the maximum and they used the latter for the purpose of extorting a higher rate from their customers. [Cries of "Oh!"] He would withdraw the word "extorting," which he did not use offensively and say the companies used the maximum to get higher rates from their customers. He hoped the House would adopt the Amendment, as it was the only chance they would have to look after not the interests of the County Council or the borough councils but of the public. They were there for the purpose of looking after the interests of the people. [Cries of "Oh!"] His hon. friends opposite said "Oh," and perhaps they were there to represent the companies, but he was not. This matter was so important that even if the companies said they could not go on with the Bill, as he was only adopting their own figures he maintained that the House should carry it through, because it so materially affected the consumers. He did not wish to detain the House at that late hour, but he hoped hon. Members would see the importance of the case, and he was sure that those who looked at the question from an unbiassed point of view would have regard to the interests of the consumers. He, therefore, hoped his proposal would be adopted.

Amendment proposed—

"In page 7, line 32, to leave out the words 'six pounds and fifteen,' and to insert the words 'four pounds and ten.'"—(*Mr. B. S. Straus.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. LEVERTON HARRIS (Tower Hamlets, Stepney) said the hon. Member who had spoken had so absolutely misinformed the House, that, being connected with one of the electric companies, he felt bound to contradict one or two statements that he made. The Bill introduced into the House of Lords did, it was quite true, give the figure of £4 10s. as a maximum, but that was an entirely different Bill from that of the present one now before the House of Commons. The Bill before the House of Lords was one for forty-two years, enabled the companies to link up together, and provided that any capital expenditure spent on sending out their own supply should be repaid by a sinking fund. This Bill was only going to continue for twenty-three years the rights of the company, and they were fettered in their interest, because when the twenty-three years came to an end the existing Electric Lighting Acts came into force, and the company had to sell their undertaking under the terms of those Acts. He thought there was very great difference between the Bill introduced into the House of Lords and the present Bill, and he hoped the House, in justice to the alterations made in the terms of the Bill, would not accept the Amendment.

SIR LUKE WHITE thought it was fair that he should state that when the Committee considered the Bill no maximum price was included in its terms, and the Committee had to consider what the maximum price should be. After considering the matter the Committee came to the conclusion that it was a question for experts more particularly to consider, and to take into consideration the facts of the case. There was no doubt an absolute necessity that a considerable reduction in the maximum prices put forward should take place, and ultimately on behalf of the promoters, on behalf of the London County Council, and other parties interested, a conference was agreed upon to go into the maximum charge, the engineers to give a decision, and they agreed on £6 10s. as a compromise. The following day the counsel for the promoters with the sanction of the London County Council said that a decision had been come to that £6 15s. should be inserted as a maximum price, and with the consent of all parties the Committee agreed to put that sum in. There was no objection whatever on the part of those interested to see a very large reduction. That was the maximum price, and he hoped the Committee would support the decision of the Committee, and insert the words as they stood.

MR. CHURCHILL said that great as was the economy in charges which would be effected by the Bill, much greater economy was expected under the Bill as originally introduced, and, therefore, the promoters were able to guarantee a maximum charge of £4 10s. But he was advised that in the altered conditions the Amendment, if accepted, would inflict such a hardship on the promoters that they would not be justified in going on with the Bill. He would point out, however, that while the charge per kilowatt was £4 10s. in the original Bill and £6 15s. in the present Bill, the charge of a halfpenny per unit remained constant in the two propositions; and the charge per unit was the more important of the two. Before the Bill was introduced, and if it did not pass they would revert to the old price, the price of electricity was 8d. a unit. That was not comparable altogether because there was then no charge per kilowatt, which represented the charge for the horse-power of the engine, whilst the unit represented the charge for the amount consumed. Moreover, the price mentioned in the Bill was the statutory maximum, and while there was no question of the promoters charging the full price, the Board of Trade had power on the application of the county council or the local authority to revise the maximum price every seven years.

Amendment, by leave, withdrawn.

MR. WALTER GUINNESS moved an Amendment which he said was really a consequential Amendment to that moved by the President of the Board of Trade.

Amendment proposed—

"In page 13, line 25, after the word 'undertakers,' to insert the words 'or a specified company.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

Mr. CHURCHILL said he was advised that the words were not necessary; that the Amendment he had inserted was sufficient to carry out the object, and that it was not necessary to insert the words in every clause.

Mr. WALTER GUINNESS said that if the Amendment at page 4, line 27, covered the whole point he would like to know why the right hon. Gentleman had inserted these words in about ten other places.

Sir H. KEARLEY pointed out that Clauses 3 and 4 were the operative clauses of the Bill, and that no useful purpose would be served by constantly inserting this Amendment in others.

Amendment, by leave, withdrawn.

Amendments proposed—

"In page 13, line 35, after the word 'ground,' to insert the words 'within the administrative County of London.' "

"In page 14, line 4, after the word 'undertaker,' to insert the words 'or a specified company.' "—(*Mr. Walter Guinness.*)

Amendments agreed to.

Amendment proposed—

"In page 18, lines 16 and 17, to leave out the words 'under the provisions of Section 2 of the Electric Lighting Act, 1888.' "—(*Mr. Guinness.*)

Sir H. KEARLEY: I agree.

Mr. JOHN WARD (Stoke-on-Trent) desired to elicit some explanation of what the clause meant. His remembrance of the Committee proceedings on Electricity Bills led him to regard the Act of 1888 as the most important part of the electrical law.

Mr. WALTER GUINNESS explained that it was a simple matter. The clause transferred powers from borough councils to the London County Council, and if these words were left in it would be quite possible that companies who were not under the Act of 1888 (Section 2) might not be included, some of the companies had a longer run.

Mr. CHURCHILL said that was the explanation of the Amendment. The words would limit the effect in regard to purchase rights of the London County Council inherited from the borough councils. It had nothing to do with the terms in the Act of 1888, upon which he agreed with his hon. friend it was necessary to keep a sharp eye.

Amendment agreed to.

Mr. WALTER GUINNESS moved a proviso to Clause 22, which he said was made necessary by one which had been inserted by the right hon. Gentleman. The subsection provided that under certain conditions the Council could purchase the bulk undertaking of the Metropolitan Electricity Supply Company. Subsection (2) of the clause provided that the Council should not purchase any undertaking or any part of the undertaking of the said company unless they gave notice, etc. In pursuance of Section 22 they would be empowered to purchase, if the right hon. Gentleman's Amendment was accepted, the bulk part of the Metropolitan Electric Supply Company; and he moved his Amendment to make it quite clear that their failure to purchase this bulk supply would not vitiate their power to purchase the rest of the companies throughout the County of London

Mr. H. GOOCH seconded.

Amendment proposed—

"In page 18, line 39, after the word 'purchase,' to insert the words 'Provided that this subsection shall not apply in respect of any part of the undertaking of the Metropolitan Electric Supply Company which may not in pursuance of this section be purchasable by the Council upon the terms specified in Section 2 of the Electric Lighting Act, 1888.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

MR. CHURCHILL thought he might accept the Amendment.

Amendment agreed to.

MR. CHURCHILL said he now had to ask the House to consider the most important of the Amendments submitted by the Board of Trade. It referred to the re-modelling, or rather the restoration of the purchase terms. When the Bill came from the Committee before the House he put to the company this proposition: The Government desired to consolidate the purchase liabilities against the company and vest them in the County Council. They represented to him that they would lose considerably by that, because the purchase prices were ineffective prices while they were held by all the separate boroughs, but consolidated and vested in the County Council they would become effective and there would be great or considerable loss on account of the possibility of severance which would inevitably arise in the course of a piecemeal purchase. That being so, he agreed to insert in the instruction he moved—the instruction vesting the rights of purchase in the London County Council—the words "on equitable terms." It was perfectly understood that those words were only inserted to enable the question of purchase terms to be raised before the Committee for the purpose of providing, if necessary and desirable, a clearer definition of certain points which the promoters urged were obscure and uncertain in regard to the operation of the purchase terms as they stood. It was clearly stated by him at the time that the Board of Trade did not contemplate any improvement of the purchase terms at all. They were willing to give a clearer and more precise definition if that were necessary, and they were anxious that the matter should be discussed before the Committee, but they certainly never intended making—and he certainly should not support—any proposal for improving the conditions of purchase. He held that the companies were, to a very large extent, compensated for the extra efficiency of the purchase rights operating against them by the facilities for linking up which they were asking for under the present Bill. When the company went before the Committee a very long and careful examination of their case was made and the very able counsel whom they were able to engage induced the Committee—and he was certainly not condemning the Committee for their action in any way—to insert the words "on equitable terms" in the text of the Bill. It was quite true the Committee never intended, he understood, by that to give the companies power to be compensated in 1931 for goodwill or for expectation of future profits or anything of that kind; but he was advised that the clause might very easily have been construed in that manner by an arbitrator. He was advised it was quite possible that an arbitrator might give to the company terms substantially better than those under the Electric Lighting Act, 1888, under which they were liable to be purchased in 1931. That being so, he thought it was his duty—and he trusted the House would support him—to submit to the promoters that unless they were able to modify the conditions which were granted by the companies so as to make quite sure the terms were the Electric Lighting Act, 1888, terms, and no other, it would be his duty, on behalf of the Government, to oppose the Bill when it came back to the House on Report. He was very glad to be able to inform the House that after considerable negotiations, which on more than one occasion very nearly jeopardised the Bill, the promoters had accepted the clause in the form in which he now moved it. The companies, therefore, would be purchasable on Electric Lighting Act, 1888, terms as they originally would have been without any improvement at all. There were, however, to the general statement two exceptions. There were two companies which had a longer run than 1931, one the Charing Cross and the other the City Company. One was purchasable in 1932 and the other not till 1940. They thought it absolutely wrong that those companies should have any improvement in their purchase terms as granted by Parliament; but they thought the two companies, in giving up the extra period they had to run, were entitled to special consideration. In that respect they got value received, viz., the public acquirement at an earlier date. He thought it only right to make this exception in the case of companies which had given up their statutory right to run. There was sub-clause 4 which he was also moving. That was a very small, but a very peculiar point. The transference they were now effecting was the individual purchase rights of a number of boroughs in a consolidated purchase right to the London County Council. There were some things, such as some mains and a generating station at Willesden, which would not be purchasable under the terms of piecemeal purchase, but which would be purchasable under the new system of consolidated purchase. The company said they should be allowed to have special terms in regard to that part of their plant, and the Board of Trade found it impossible to deny the justice of that claim. If, however, they had allowed the company to have that special licence in regard to that small outstanding piece of their plant, and at the same time allowed them to insist on the London County Council buying it all at one moment, it was possible the London County Council might have had no opportunity of refusing to pay an excessive price for one portion of the property without giving up their option over the whole of the rest for which they would know within small limits what they would have to pay. The Board of Trade, therefore, said that if the company had the right to except those particular mains and the Willesden station from the general operation of the existing purchase clause, they would also be excepted from the obligation of the London County Council "to purchase them all or none." If in purchase negotiations high prices were named for these outstanding properties it would, therefore, be optional for the London County Council to refuse to buy them, and they would be left on the hands of the promoters. That was an arrangement which, after careful negotiation, they found to be satisfactory to the representatives of the London County Council, and it was also accepted by the companies. He had dwelt on it at considerable length, because, although it figured to a small extent in the proposals, he wanted the House to see it had been carefully and narrowly considered. He commended the subsection to the House because it enforced against the companies substantially the same purchase terms as those under the Electric Light Act, 1888.

Amendment proposed—

"In page 19, to leave out lines 1 to 17 (inclusive,' and to insert the words '(3) The undertakings of the several London Electric Supply Companies within the county, including any lands, buildings, works, materials, and plant provided or constructed under the powers of this Act shall, if purchased by the Council, be paid for upon the terms specified in Section 2 of the Electric Lighting Act, 1888, provided that if the Council give notice for purchase at the twenty-sixth day of August, one thousand nine hundred and thirty-one—(*a*) That part of the undertaking of the Charing Cross, West End, and City Electricity Supply Company, Limited, which is authorised by the City of London Electric Lighting Order, 1899, shall be purchased only upon the terms set forth in the said Order; and (*b*) the City of London Electric Lighting Company, Limited, shall be entitled to such additional compensation as may be agreed upon, or as such agreement being arrived at, the Council or such local authority may appeal to the Board of Trade, who may make such Order as having regard to all the circumstances of the case may appear to them to be expedient. (7) In the event of any purchase under the provisions of this section taking place the Board of Trade may, by Order, modify or adjust the powers exerciseable by the Council or any local authority in such manner as may appear expedient, and do anything which appears to them to be necessary to enable the provisions of this section to be carried into effect, and any such Order may modify the provisions of any Act or Provisional Order confirmed by Parliament.'"—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR F. BANBURY (City of London) said he gathered that an arrangement entered into in Committee was going to be upset by the right hon. Gentleman on the Report stage. He had been many years in the House, but he never remembered such a case. The Bill had been before a Committee, and apparently the whole of it was going to be rediscussed at half-past ten at night by a House in which there were not three Members who were not on the Committee who knew anything about it.

MR. W. THORNE (West Ham, S.): Speak for yourself.

SIR F. BANBURY said if the hon. Member was a member of the Committee—he was not referring to him personally—of course, he did not include him in the remarks he made, but if he was not a member of the Committee he did include him, because, however able he might be, if he had not been at the Committee, and heard the evidence, he could know nothing whatever about it.

MR. W. THORNE: I have read it.

SIR F. BANBURY asked what was the use of having a Committee if this principle was to obtain. They left it all to the hon. Member below the gangway who had read the case, and thought he knew all about it, and they ignored the long sittings upstairs. That was a very important point, and one which would deal a blow at the work of Private Bill Committees, which had hitherto always been considered to have gone into their work carefully, and it was on very rare occasions that the House ever interfered with the decisions at which they had arrived. The right hon. Gentleman had told them, putting it in a very terse phrase, that he had levied blackmail on the companies. The Committee arrived at a decision, and the right hon. Gentleman said he was going to reverse that decision, because the Government was all powerful in the House, unless they altered their terms, and took a smaller advantage. If that was not blackmail he did not know what was. He had risen to speak, because he felt certain if such things were to be done no one would ever put his money into any of these enterprises. This sort of thing was growing day by day, money was going abroad, and hon. Gentlemen below the gangway who lived upon the money of the investor——

MR. W. THORNE: They do not get much of yours anyhow.

SIR F. BANBURY said they would get none of it, if he could avoid it. The result would be detrimental to the interests and the commercial prosperity of the country.

MR. DICKINSON said there were a great many more than four Members who knew a good deal about the subject. He rose merely to express, on behalf of London generally, their great appreciation for the successful work that had been undertaken in regard to this matter by the President of the Board of Trade. After having watched these proceedings through both Committees, without bringing any reflection to bear upon the action of the Committee upstairs he said that if this clause had been presented to the House as it left the Committee the Bill could not possibly have passed. That being so, it was in the interest both of the Company and of London generally that the right hon. Gentleman intervened and with great wisdom and tact persuaded the Company to accept the terms which were embodied in this clause. He thanked the right hon. Gentleman very much for what he had done.

MR. ESSLEMONT (Aberdeen, S.), speaking as one of the members of the Committee who had devoted very laborious days to the question, said the Board of Trade suggested that the members of the Committee had been induced by the persuasive eloquence of counsel to put a construction on his instruction which they were not justified in doing, and he thought it would have been for the convenience of the Committee if the Board of Trade had at an earlier stage explained more fully what their intention was when the instruction was moved. It left them in this position—that it was quite impossible for them on the instruction which they had before them to report to the House such a clause. He really did not think it was their desire to have anything but reasonable terms.

MR. W. GUINNESS said the hon. Baronet the Member for the City of London rather suggested that the Board of Trade had dealt harshly with the companies. It was well to point out that the companies had, he believed, assented to the clause.

SIR F. BANBURY: Very reluctantly.

MR. W. GUINNESS said it might be that they had assented reluctantly, but of course, the Committee gave them what he thought they could hardly have expected, and he really believed the right hon. Gentleman in moving the clause was only carrying out what the Committee really intended. Reading the evidence, and so far as one could judge, the Committee did not intend the companies to get anything more than Electric Lighting Section 2 terms, except in the two special cases of the City Company and the Charing Cross Company, and all that the Board of Trade had done was to redraft the clause to carry out the objects of the Committee, and to secure that when the time came for the assessment of compensation the arbitrator would not be compelled, by the ambiguous wording of the clause, to give something over and above electric lighting terms for the severance, which would not, in point of fact, ever arise, but which might have arisen if the borough councils had been the purchasers instead of the County Council. He believed if this clause had been moved in its original form the London County Council might have been mulcted in an enormous sum, and on behalf of the County Council, who had devoted a considerable amount of time and labour to this matter, he should like to express their gratitude for what the right hon. Gentleman had done in re-drafting the clause.

MR. JAMES PARKER (Halifax) said he associated himself with the hon. Member opposite with regard to instructions given by the House to Committees. The instruction was that the Committee should consider that something more was required than merely the terms of the Electric Lighting Act. He did not consider that more was required. As a Member of the Committee he had voted quite conscientiously with his colleagues for the clause as put into the Bill, and the reason for it was this. He had sat on two of these Committees, the one in 1906, and the Bulk Supply Bill which the Committee threw out on the preamble, and upon these two later Bills, and anyone who considered the condition of the consumer of electricity in London and the conditions as they prevailed with the various borough councils would be prepared to go a long way to get a united bulk supply of electricity under the control of the London County Council. When instructions were given they should be given by the Board of Trade, in terms which the Committee could understand, and when the House gave an instruction he took it to be the business of the Committee to endeavour to carry it out.

MR. CHURCHILL said he was quite willing to admit some blame attached to him for not having had an opportunity when moving the instruction of more clearly explaining the historical circumstances, which were only known to himself, which led to the insertion of the words "on equitable terms" in the instruction. That misled the Committee as to the intent and wishes of the House upon the subject, and it was through that that the Bill came down to them in its present form. He thought the House would recognise how very complicated this question was, with all sorts of small points, and how much compromise and negotiation was necessary. He was sure the House would not, in accepting his Amendment, desire in the slightest way to reflect at all upon the zeal, ability, and industry, with which the Committee had done their work. That would be most ungrateful towards Members who discharged a most severe and laborious and, in some respects, thankless portion of Parliamentary work.

*SIR LUKE WHITE said the Committee felt that under the instruction of his right hon. friend, with regard to equitable terms, they had to consider that question from the point of view of the powers given by the present Bill, and if it had been the intention of the Board of Trade that the purchase under the terms of this Bill should have been the exact terms of Section 2 of the Electric Lighting Act, 1888, as this Amendment proposed, it would have been a very easy matter for the Committee to have placed such a clause in the Bill. But the Bill had to deal with a very complicated question. They never intended, under the clause which now stood in the Bill, to give anything whatever in relation to goodwill or future profits. What they intended to give to the promoters of the Bill was fair and equitable terms, taking into consideration the capital expenditure which they would have to incur under the provisions of the Bill. He held that the Amendment would carry out what was the intention of the Committee, and accordingly the Committee would support the clause as amended.

Amendment agreed to.

MR. WALTER GUINNESS said he moved his subsection down to the end of sub-head (*a*) because sub-head (*b*) dealt with quite a different question, and he hoped even if he was not successful in inducing the Government to accept the first part, they might anyhow accept the second. Sub-head (*a*) proposed that after the London County Council purchased the undertakings supplying electricity throughout the county, after they had done what the borough councils could not do, owing to the difficulty of severance, they might then be entitled to sell back to the borough councils so much of the undertaking as was concerned with the distribution of electricity within the area of that local authority. The London County Council were anxious that this Amendment should be accepted, because they did not think that the distribution of electrical supply for London would be so well forwarded in the hands of one authority as if it was divided up into a bulk supply and a distributive supply. The actual work ought obviously to be in the hands of a body in touch with the district. The borough councils were in a far better position to say whether a man was entitled to a certain amount of credit or should be made to pay cash down for the supply which he had. In distinguishing between the bulk and the distribution supplies of electricity the Government would only be carrying out the same principle as had been applied in other parts of London. They felt that the London County Council was overworked, and it would be impossible for it to run a bulk supply and at the same time to distribute electricity to every single consumer. He felt that this proposal was only doing common justice to the local authorities. They ought to include the local authority on equitable terms, not only between the companies and the council but also between the borough councils and the London County Council. The borough councils in many places felt that they had a fairly valuable prospective reversion in these electric undertakings. He was anxious that they should have this reversion, and he asked the House to allow the County Council to sell that reversion to the local authorities in the year 1931. The Council could not administer the distributing work so well as the local authority, and, therefore, the power was asked for that the County Council should be able to resell the distributing part of an undertaking to the local authority desiring to acquire it.

MR. H. GOOCH seconded.

Amendment proposed—

"In page 19, line 30, at end, to insert the words '(6) In the event of the Council purchasing an undertaking (or part of an undertaking) in pursuance of powers transferred to or conferred upon them under this section the following provisions shall have effect: (*a*) The Council and any local authority who, before the passing of this Act, were empowered to purchase such undertaking (or part of an undertaking) may, with the approval of the Board of Trade, enter into and carry into effect an agreement or agreements for the purchase by such local authority from the Council of so much of the distributing system comprised in such undertaking (or part of an undertaking) as may be situate within and used for the supply of the district of such local authority, and as from the date of the purchase effected under any such agreement all such powers as may have been vested in the Council with regard to such system (or part of a system), and the distribution of electrical energy thereby shall be vested in such local authority and shall be exercisable by them in lieu of and in substitution for the Council, and shall cease to be exercisable by the Council.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

MR. CHURCHILL said he had found himself so often in agreement with the hon. Member opposite in the course of this Bill, that he was sorry to differ from him directly. The policy the Government were pursuing was for the unification of the electrical supply for London, but the adoption of this proposal would have the effect of dividing it up again. Out of unity would proceed economy in generation, management, and distribution, and though economy in generation would remain, the economy in management would be largely impaired by distribution being in another hand. It was evident from the expression "valuable prospective reversion" that local authorities expected to make a middleman's profit; but that was not the policy of the Government. Again, inasmuch as not all the local authorities would purchase the right of distribution, the Council would be left with a lop-sided system of distribution without the means of making up the loss in one district from gain in another.

MR. WALTER GUINNESS asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. WALTER GUINNESS moved a further Amendment to provide that where a local authority was in competition with the County Council, the County Council should have the power to acquire the undertaking of the local authority. There were only two cases in London where that state of things was likely to arise, namely, Bermondsey and Southwark, the borough councils of which had each got undertakings in the area that would be supplied by the companies included in this Bill. It was manifestly undesirable that two different sections of ratepayers should be in competition in the supply of electricity, and he hoped the right hon. Gentleman would accept this Amendment.

MR. H. GOOCH seconded.

Amendment proposed—

"In page 19, line 30, at end, to insert the words 'The Council and any local authority having an electrical undertaking which is being carried on in competition with the undertaking (or part of an undertaking) purchased by the Council as aforesaid may, with the approval of the Board of Trade, enter into and carry into effect an agreement or agreements for the purchase by the Council of the electrical undertaking of such local authority, or any part thereof, and upon any such agreement being entered into, all such powers as may have been exercisable by such local authority in regard to their electrical undertaking or so much thereof as may be purchased by the Council shall be vested in the Council, and shall be exercisable by them in lieu of and in substitution for such local authority, and shall cease to be exercisable by such local authority. In the event of no such agreement being arrived at, the Council or such local authority may appeal to the Board of Trade, who may make such order as, having regard to all the circumstances of the case, may appear to them to be expedient.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

MR. CHURCHILL said there was no great objection to the object of the Amendment, but he did not think this was the occasion when they need consider the danger to which the hon. Member had referred. The date of purchase was, unfortunately, very distant, and he was quite certain that further legislation would be necessary before that date was reached. He agreed that they ought to avoid anything like competition between the London County Council and the borough councils, but he did not think that the scheme for the unification of the electrical supply of London could be completed if they stopped where they were carried by this Bill. It was evident that further legislation would be necessary before London possessed a perfectly complete and comprehensive scheme, and when that legislation was proposed, the hon. Member's subsection, which was unobjectionable in itself, but would be dangerous if introduced into the present Bill, might very properly be considered.

MR. WALTER GUINNESS asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. WALTER GUINNESS moved subsection (7) of his Amendment, which he said was intended to prevent the necessity of any further legislation when purchase rights took effect. He was advised that unless the Board of Trade had power to modify and adjust the powers exercisable by the council owing to the different expressions in various Provisional Orders in force throughout London administered by the London County Council it was certain that fresh legislation would be necessary and that might be avoided by his proposal.

Amendment proposed—

"In page 19, line 20, at the end, to insert the words '(7) In the event of any purchase under the provisions of this section taking place the Board of Trade may, by order, modify or adjust the powers exercisable by the Council or any local authority in such manner as may appear expedient, and do anything which appears to them to be necessary to enable the provisions of this section to be carried into effect, and any such order may modify the provisions of any Act or Provisional Order confirmed by Parliament.' "—(*Mr. Walter Guinness.*)

MR. CHURCHILL said he had on a number of occasions heard hon. Members express the opinion that they thought a good deal too much power was given to the Board of Trade, and he had had to defend his Department against that charge. But never in his most enthusiastic moments had he conceived it possible that Parliament would be asked to confer upon the Board of Trade or any public Department the powers which the hon. Member desired to give them in this Amendment, which would confer upon the Board of Trade almost illimitable power. It was an absolute and uncontrolled power which on the grounds of modesty he felt compelled to decline.

MR. WALTER GUINNESS asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 19, line 31, after the word 'The,' to insert the words 'London County.' "—(*Mr. Walter Guinness.*)

Question, "That those words be there inserted," put, and agreed to.

MR. WALTER GUINNESS moved an Amendment providing that three-fourths of the purchase money instead of one-half as proposed by the Bill should be paid in stock. It was obvious that the London County Council might have very great difficulty in raising the enormous sum of ready money which would be necessary to pay off the interests on the capital of those companies if half of it had to be satisfied in cash. The capital of those companies was already over £13,000,000, and he thought it was most desirable in the interests of the credit of London that a huge amount of stock should not suddenly be floated on the market. He hoped the President of the Board of Trade would see his way to accept his Amendment.

MR. H. GOOCH seconded.

Amendment proposed—

"In page 19, line 32, to leave out the word 'one-half,' and to insert the word 'three-fourths.' "—(*Mr. Walter Guinness.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. CHURCHILL said he quite agreed with the hon. Member that they should do everything they could to render the purchase of these undertakings in 1931 by the London County Council easy and convenient, and he agreed that it would be an advantage that the larger portion of the purchase price should be payable in stock instead of in cash. This matter was examined before the Committee upstairs, and the Committee came to an agreement with the parties concerned that the proportion should be one-half. The hon. Member who moved the Amendment asked that that proportion should be three-fourths. That was asking for a greater concession from the companies than was thought proper by the Committee. He was, however, anxious to facilitate in every way the operation of purchase, and he had had some negotiations with the companies upon this subject. He was glad to announce that they had been successful, and he was, therefore, in a position to accept the Amendment which had been moved by his hon. friend.

Amendment agreed to.

Amendments proposed—

"In page 20, line 7, after the words 'when the,' to insert the words 'London County.' "

"In page 21, line 2, after the word 'accordingly,' to insert the words 'Provided any supply company requiring the Council to advance money under this section shall satisfy the Council that any money so advanced will be or has been properly expended for the purposes for which the same was advanced.' "—(*Mr. Walter Guinness.*)

Amendments agreed to.

MR. CHURCHILL moved to add a subsection to Clause 24, which he said had been the result of considerable negotiation, conducted through the medium of the Board of Trade, between the London County Council and the promoters of the Bill. Under the Bill the London County Council could, if it chose, exercise the option of purchase by giving three years notice before 1931 of its intention to purchase. The operation of all purchase clauses in the past had been very carefully watched, because it was found that unless provision was made for the support of the private enterprise during its last years of life it was often exploited, neglected or starved, that it was allowed to deteriorate, and that when the public authority acquired it, it was not acquired in the most economical, efficient, and satisfactory condition. Therefore, it was necessary that there should be a time when the new authority should come in and exercise a certain amount of control, taking a certain amount of responsibility, and consequently contributing a certain amount to the support of the enterprise. Under this Bill it was proposed to make it obligatory on the County Council, if it desired to exercise the option of purchase, to provide under very carefully fenced about limitations sums of money which were necessary for the carrying on and for the proper upkeep of the company's undertaking during the last three years. The subsection which he proposed to insert safeguarded the County Council on a point on which they were anxious, namely, the assurance that they would not be obliged to advance sums of money unless they had security for the payment of the sums and the interest. The County Council put this forward, but the promoters had not completely agreed to it as a right and proper safeguard. On the other hand he saw no reason, reviewing the circumstances of the Bill, and the general possibility of its passing through this House, why they should not insert it. He hoped its insertion would not seriously compromise the fortunes of the Bill. He begged to move.

Amendment proposed—

"In page 21, line 19, at the end, to insert the words '(*d*) The Council shall not be obliged to advance any sum to a company under this section unless they are satisfied that there is adequate security for the repayment to them of the sum to be advanced and for the payment of the interest thereon.' "—(*Mr. Churchill.*)

Question "That those words be there inserted," put, and agreed to.

Amendment proposed—

"In page 21, line 19, at end of clause, to add the words 'It shall be lawful for the Council and any of the London Electric Supply Companies to enter into and carry into effect any agreement or agreements with regard to matters dealt with in this section, and any such agreement may contain any provision for the repayment to the Council of any sum which they may advance to a supply company in pursuance of this section, notwithstanding the provisions contained in this section.' "—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there added."

MR. CHURCHILL said he was willing to accept this.

SIR F. BANBURY said he understood that if the London County Council advanced money to companies it was to be a prior charge on the undertakings. Was it intended by this clause that a loan made by the County Council, which the mortgagees and debenture-holders could know nothing about, was to rank in front of the mortgages and debentures? If so, he should certainly oppose the Amendment.

MR. WALTER GUINNESS said this Amendment would only give enabling power to a company to agree to such a proposal. There was a precedent for it. Obviously it was not equitable that the County Council should have to pay twice over, and without this clause they might have to do so. If the debenture-holders did not agree, the provision would not take effect.

LORD R. CECIL said the effect of the Amendment would be to enable a company to prefer the County Council to other creditors of the company. If that was what was meant, it was a startling proposition. He agreed that the situation was exceedingly difficult under the terms proposed. He did not think that tramway terms were the best for the public in the long run, because they were a direct incitement to a company not to keep up plant in a proper condition at the end of the term, and the result was that there was always a danger that the purchasing party would not get value for what they paid. He shared the apprehension of the hon. Baronet the Member for the City of London in regard to the giving of power to prefer the County Council to other creditors.

MR. BONAR LAW said the position was not so bad as suggested by the noble Lord. As a rule, a company's articles of association determined whether or not a prior lien charge should be made, and in almost all cases it could only be made by getting the assent of the whole of the debenture-holders or a large portion of them. If by any chance the effect of this would be to give a prior lien charge on these properties without the knowledge and consent of the debenture-holders, it would be obviously a thing which the House ought not to do, and it would be necessary to put the matter right either here or in another place.

MR. CHURCHILL: It will certainly not have that effect. It is only an enabling clause to empower the London County Council to make special arrangements with other companies who are not in acknowledged conflict with the ordinary law.

MR. A. J. BALFOUR: That is not the point. The point is whether there is power on the part of the company and the London County Council, without the consent of the debenture-holders, to rank such a loan of money in front of the debenture-holders and mortgagees of the company. Now, as I understand it, that turns upon the articles of association. Certain companies are so framed that proceedings cannot take place, and on the other hand, other companies' rules are so framed that such tranasctions can take place. What the House wants to know is whether the company in question under this Bill belongs to one class or the other. Everybody agrees that the provisions of the Bill would be a very serious invasion of their rights if the consent of the debenture-holders were not to be obtained, and if this information had not been given to them.

*SIR LUKE WHITE said that this question had been before the Committee, and if this Amendment were carried without some qualification, so far from saving the rights of the debenture-holders and the mortgagees was concerned, it would have the effect of over-riding the articles of the association. He quite agreed that there might be some doubt on the point, and he hoped that his right hon. friend would consider that point, because he himself thought that these words were necessary to safeguard the rights of the mortgagees and the debenture-holders.

MR. CHURCHILL: Nothing in this clause enables the company or the London County Council to over-ride the articles of association, or do anything in violation of the existing law, or of the existing equities between the existing company shareholders and the debenture shareholders. Under this Bill as now proposed the London County Council will have power to make advances during the last two years, subject to the security being satisfactory. But there are many cases in which security may not be satisfactory as against the advances made. This clause only permits elasticity in regard to the articles of association where an agreement has been come to between all the parties.

MR. BOWLES said that the right hon. Gentleman had stated that there was nothing in the clause which could possibly impair the rights of the debenture holders. He had two observations to make upon that. Was the right hon. Gentleman quite certain that the words in the second half of the clause secured that that was really the case? Here they were giving statutory powers to the London County Council to enter into agreements. Did the right hon. Gentleman say that they were going to give direct statutory powers to the London County Council to over-ride the provisions of the articles of association? If the hon. and learned Solicitor-General would give the House direction on this point of law it would be of great advantage. He understood that they were all agreed. Would not the situation really be met if the right hon. Gentleman would accept some such proviso as this: "Provided that no such agreement shall be entered into to the prejudice of the rights of the debenture-holders without their consent?" That would, he thought, meet what they all wanted, and it would get them out of the difficulty. If the right hon. Gentleman could not agree to that, it would be of great advantage to the House if the Solicitor-General, or somebody else, would give the House the benefit of their advice.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): There is no Law Officer here, and my opinion on a point of law is not of much value. But I give it for what it is worth. In my opinion, it is perfectly clear that if this clause is enacted in the form proposed it would not give any power whatever to enter into agreements which would over-ride existing rights or interfere with existing obligations. It is a purely enabling clause, giving a power which is consistent with and not inconsistent with existing rights which are secured by contract or in any other way. I do not believe that there is any necessity whatever, speaking as a lawyer, to insert the safe-guarding words; but the matter will be considered, and if it is necessary we shall put in the words.

Amendment agreed to.

MR. WALTER GUINNESS moved to add to the same clause the words: "Trustees, executors, administrators, and all other holders in any representative or fiduciary capacity of any of the mortgages, debentures or debenture stock of a supply company are hereby expressly authorised to give and shall incur no liability whatsoever for giving or having given their consent or consents to any such agreement or agreements as may be entered into under this section." The effect of that would be entirely to prevent the necessity of further legislation because it would enable trustees to alter the articles of association or to alter their trust deeds. There was a precedent for this clause in Clause 12 of the Metropolitan Districts Railways Act, 1908, where the words were almost identically the same. He begged to move.

MR. H. GOOCH seconded.

Amendment proposed—

After the words last inserted, to insert the words 'Trustees, executors, administrators, and all other holders in any representative or fiduciary capacity of any of the mortgages, debentures, or debenture stock of a supply company, are hereby expressly authorised to give, and shall incur no liability whatsoever for giving or having given, their consent or consents to any such agreement or agreements as may be entered into under this section.' "—(*Mr. Walter Guinness.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. CHURCHILL said the Government could not be expected to accept Amendments of so complicated a character without seeing them on the Paper. This was the first he had heard of it. He did not know that it was objectionable; he would consider it, but at this moment he would recommend the House not to accept it.

Mr. WALTER GUINNESS said it had been shown to the promoters, who saw no objection to it.

Sir F. BANBURY said he was not quite sure that he understood his hon. friend. The Amendment filled him with amazement. He really did not know what was going on. His hon. friend was advocating that the County Council should lend money to different councils, which loans should rank in front of debentures, and the unfortunate trustees who held any of the stock were to be made to consent to it. He was glad the right hon. Gentleman would not accept it, but he certainly hoped he would not consider it.

Amendment negatived.

Amendments proposed—

"In page 21, line 20, after the word 'The,' to insert the words 'London County.' "

"In page 21, line 21, after the word 'purchase,' to insert the words 'or loan.' "—(*Mr. Walter Guinness.*)

Amendments agreed to.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read a third time.—(*The Chairman of Ways and Means.*)

Prince of Wales' Consent signified.

Bill read the third time, and passed, with Amendments.

LONDON (WESTMINSTER AND KENSINGTON) ELECTRIC SUPPLY COMPANIES BILL [Lords] (By Order).

As amended, considered.

New clause—

"If the Admiralty are of opinion that the generation or use of electrical energy under or for the purposes of this Act by the companies injuriously affects, or is likely injuriously to affect, any instrument or apparatus in or adjacent to the Royal Observatory at Greenwich, including the Magnetic Pavilion, or the efficient working of such instrument or apparatus, the Admiralty may, after such inspection and inquiry as they think proper, require that the companies shall use such precautions, including insulated returns, as the Admiralty may deem necessary for the prevention of such injurious affection, and the companies shall forthwith comply with such requisition. For the purpose of this section any person authorised in writing by the Admiralty shall have access at all reasonable times to the works and apparatus of the companies, who shall give all due facilities for the inspection. Provided always, that in the event of any instrument or apparatus hereafter used in the said Observatory which may be of a different character and of materially greater delicacy than those used therein at the passing of this Act, the Admiralty shall consider, and may in their discretion determine, to what extent the powers of this section should be exercised, regard being had to the interests of the public as well as to the purposes of the instruments or apparatus, as the case may be. The Admiralty Suits Act, 1868, shall apply for the purposes of proceedings in regard to any breach of the provisions of this section or for injurious affection of the said Observatory or instruments or apparatus."—(*Mr. Lambert.*)

Brought up and read the first and second time, and added to the Bill.

Amendments proposed—

"In page 6, line 6, at end, to insert the words 'In respect of all electric mains to be laid down under the provisions of this section, the London County Council shall (without prejudice to the rights, powers, and privileges of any local authority) have for the purposes of this subsection the same rights, powers, and privileges as if they were the local authority for the district in which such electric lines are to be laid down.'"

"In page 13, line 35, at end, to insert the words '(7) For the purposes of Section 14 of the Schedule to the Electric Lighting (Clauses) Act, 1899, the Council shall have, in addition to any other power, rights, and privileges possessed by them under the said section, the same rights, powers, and privileges as if they were the local authority for the administrative County of London.'"—(*Mr. R. Guinness.*)

Amendments agreed to.

Ordered, that Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—[*The Chairman of Ways and Means.*]

Bill accordingly read the third time, and passed, with Amendments.

NORTH BRITISH RAILWAY ORDER CONFIRMATION BILL (By Order).

Read the third time, and passed.

CROFTERS' COMMONS GRAZINGS BILL.

Considered in Committee.

Amendment proposed—

"In page 1, line 12, to leave out from the word 'without' to the word 'Act' in line 13."—(*Mr. Cochrane.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

The SECRETARY for SCOTLAND (Mr. Sinclair, Forfarshire) was understood to say his advisers considered that these words, which the hon. Member proposed to leave out, were necessary, and that they were operative under certain powers of procedure. Another procedure was laid down by this Bill which they desired to see brought into operation for the purpose of carrying it out.

Mr. COCHRANE did not want to press the Amendment, but he thought it was undesirable to have two procedures for one offence, and that the right hon. Gentleman had met the proposal in a very unsatisfactory manner.

Amendment, by leave, withdrawn.

Bill reported, without Amendment; read the third time, and passed.

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Sir F. BANBURY thought they ought to have some explanation of the measure which it appeared enabled the Public Trustee to put funds which were at his disposal in the Post Office Savings Bank. The Government, at twenty-five minutes to twelve, moved the Bill, and there was nobody there to tell them what it was about. The Bill had only two clauses, but it repealed the provisions of a great number of sections of the Post Office Savings Bank Acts, and it altered the declaration to be made by depositors. It said that the provisions repealed were not to apply to the Public Trustee, and unless the object of that was to allow that official to deposit large sums of money in the Post Office he did not know what it meant. He had, however, understood that that was not the case. Unless he got a satisfactory answer he should certainly oppose the Bill.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar) said the general provisions of the Bill had been come to in agreement with those representing bankers who were the only persons interested in it. It was in no sense compulsory, and only enabled the Public Trustee in regard to a small estate, which at the present moment had no banking account, or had some money in the Post Office Savings Bank, to open or continue an account there. Each estate was subject to the limit of the savings bank, but the Public Trustee could open several separate accounts which no private individual would be able to do. It was obvious, and in the case of the Public Trustee who had to deal with a large number of estates the whole amount of which was already in the Savings Bank, that it very much hampered his powers if he could only open one account, and was limited in the ordinary way. His powers were, however, strictly limited, and he would not be able to deal with estates already in the hands of bankers. He hoped this House would allow the Bill to have a Second Reading.

MR. HARMOOD-BANNER (Liverpool, Everton) was glad that the Bill did not enable the Public Trustee to transfer money from bankers, because there was a distinct promise when the Public Trustee Bill was passed that there should be no interference with the rights of bankers. Of course, if, as the right hon. Gentleman said, the limitations of the Post Office Savings Bank applied, and if it was only intended to place this power in the hands of the Trustee in regard to some small estates which had already deposits in the bank, he should not object, though he still had a feeling that it would give the Trustee power to deal with large sums of money eventually.

Question put, and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for to-morrow—(*Mr. Joseph Pease.*)

POST OFFICE SITES (RE-COMMITTED) BILL [LORDS].

Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment.

LUNACY BILL [LORDS].

Read a second time.

Bill committed to a Committee of the Whole House for to-morrow.—(*Mr. Joseph Pease.*)

STATUTORY LAW REVISION BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR A. ACLAND-HOOD (Somersetshire, Wellington) asked for some explanation of the Bill.

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields) said the object of the Bill was simply to bring the revised statute law down to the latest date possible.

Question put, and agreed to.

Bill read a second time and committed to a Committee of the Whole House for to-morrow.—(*Mr. Joseph Pease.*)

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at sixteen minutes before Twelve o'clock.

HOUSE OF LORDS.

Tuesday, 15*th December*, 1908.

PRIVATE BILL BUSINESS.

Post Office Sites Bill [H.L.]; London Electric Supply Bill [H.L.]; London (Westminster and Kensington) Electric Supply Companies Bill [H.L.].—Returned from the Commons agreed to, with Amendments.

North British Railway Order Confirmation Bill.—Brought from the Commons and read 1^a; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2^a (The Lord Herschell), and reported from the Committee; and to be read 3^a To-morrow. [No. 257.]

PETITIONS.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Petitions against: Of persons signing (46); Shipping Federation; Shipowners of the City of London; Edinburgh Chamber of Commerce and Manufactures; Glasgow and South Western Railway Company; Gas Companies Protection Association; Swansea Chamber of Commerce.—Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 4173. Ecuador (Ecuador: Trade for 1907).

DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND.

Report on the Trade in Imports and Exports at Irish Ports during the year ended 31st December, 1907; Eighth Annual General Report of the Department, 1907–1908.

FISHERIES (IRELAND).

Reports of the Department of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland, for the years 1906, 1907, and 1908 respectively. (Part II. Scientific Investigations).

INDIA.

Full text of Indian Criminal Law Amendment Act, 1908.

Presented (by Command), and ordered to lie on the Table.

WEST HIGHLAND RAILWAY (EXTENSION FROM BANAVIE TO MALLAIG).

Seventh Annual Report by the Board of Trade as to the condition and working of the Banavie to Mallaig Railway, the rates and charges for traffic, and the receipts and expenditure of any company in working the railway, for the year 1907–1908.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

CROFTERS' COMMON GRAZINGS REGULATION BILL.

Brought from the Commons and read 1^a; to be printed; and to be read 2^a To-morrow (The Lord Herschell). [No. 256.]

BUSINESS OF THE HOUSE.

Moved, That Standing Order No. XXI. be suspended for this day's sitting; and that the Motion for the Second Reading of the Coal Mines (Eight Hours) (No. 2.) Bill have precedence over the other Notices and Orders of the Day (The Lord Privy Seal (*E. Crewe*)); agreed to, and ordered accordingly.

COAL MINES (EIGHT HOURS) BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

The LORD STEWARD (Earl Beauchamp): My Lords, I am glad to think that this Bill which I have the honour to ask your Lordships' to read a second time this afternoon cannot in any sense be described as a new measure. It has been before the country for a number of years. Bills have been introduced into the other House every year for

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

nearly seventeen years, with one exception, dealing with this subject, and, therefore, it cannot be described in any sense as a new question either to Parliament or to the country. Under these circumstances I shall not venture to detain your Lordships' at any inordinate length in describing the measure. I think it is quite obvious to any Member of your Lordships' House that there are special conditions in the work of mining which afford sufficient reason for giving special legislation to those employed in that occupation. If it were the mere fact that they were for so many hours during the day away from air and light, that, I think, would be a very great distinction between them and every other class of labour. The only other work which in any way approaches to that of miners is the work of stokers upon big liners or on battleships, but in their case it is possible to get to fresh air in much less time than is the case with miners.

I think it is only fair to mention to your Lordships' some of the figures dealing with health and accidents in the case of those engaged in this occupation. I do not wish to lay undue emphasis upon either of these sets of statistics, because I think statistics should not in a case like this be regarded as absolutely conclusive; but they certainly are of some importance, and I think attention, at any rate, may fairly be given to them by your Lordships' House. If you take the age of from fifteen to twenty, the death-rate of occupied males between those ages is 2·44 per 1,000, but the death-rate amongst miners between those ages is 3·22. To go to the other extreme, taking the age at sixty-five, the death-rate in the case of occupied males over that age is 88·39 per 1,000, but the death-rate amongst miners is no less than 139·83 per 1,000. The figures with regard to accidents show that miners live under circumstances of special danger. Fatal accidents in the case of railway men are 7·77 per 1,000; amongst miners the figure is 12·82 per 1,000.

In dealing with this subject this country is, after all, only following the example of other countries, not, perhaps, in the same way. In Germany they deal with it in a totally different manner —namely, by limiting the hours of labour when the temperature is over 82 degrees Fahrenheit. His Majesty's Government, for reasons which I shall venture to go into later, have on the whole decided to deal with the matter in accordance with the Bill now before your Lordships, and I am glad to think that this is not, strictly speaking, a controversial matter which divides the two sides of your Lordships' House in any strict degree of accuracy. I think it is only fair to Mr. Chamberlain to remind your Lordships that he was one of the very first to call the attention of Parliament to this matter, and that he has more than once expressed his desire that it should be dealt with by Parliament. In 1892 Mr. Chamberlain said—

> "In my opinion, there will be no such decrease in the output as some persons imagine, and I think that the fear of a decrease is altogether exaggerated and largely imaginary."

And again—

> "It is desirable, in the interests of humanity, that the ordinary miner's day should be eight hours."

Beyond that there is also the fact that more than one member of the late Government has voted and spoken in favour of this or a similar measure.

With regard to the actual Bill now before the House, the first clause is, I am afraid, rather a lengthy one, but the gist of the Bill is to be found in that clause. The whole matter is somewhat complicated by the system of shift-working. The average time taken to wind a shift up the shaft and to let it down is about half an hour, so that your Lordships will see that there are different methods of calculating an eight hours day. One way of calculating it is from the first man down to the last man up. This is the method known as bank-to-bank, and it gives rather less than eight hours—it is only about seven and a half hours—for the average man in the shift. That is the method adopted in the majority of the private Members' Bills that have been introduced in the other House in previous years. Another way of calculating an eight hours day is from first man down to first man up, and last man down to last man up. This is the method adopted by Mr. Russell Rea's Committee which submitted last year a very valuable Report, and it is also the method adopted in the Government Bill after the expiration of the preliminary period of five years. It gives, as will be seen, an eight hours day to the average of the shift; that is to say, it would give an eight hours day to each man in the shift if they all went down and came up in the same order. Practically speaking, as they do not observe the same order it may be said to give an eight hours day to the average man of the shift. The third way of calculating an eight hours day is from the last man down to the first man up. This gives eight and a half hours for the average man, and is the method adopted in the French law and in the Bill now before your Lordships for the preliminary period of five years.

Your Lordships may be interested to know what the law exactly is in France. In 1905 an Act was passed in France limiting the hours of hewers in coal-mines as follows—for two years, to nine hours from the last man down to the first man up, or nine and a half hours to the average man of a shift; for two years after that, to eight and a half hours on the same method, or nine hours for the average man of the shift, and thenceforward to eight hours on the same method, or eight and a half hours for the average man of each shift. That is last man down to first man up. Of course this only applies to the hewers, and not to the other men working in the mines. As your Lordships will have gathered, the method in the Bill is different from that suggested in the private Members' Bills which have been introduced at various times. Those measures were not based on any ascertained statistics, and it was impossible to foretell what the result of them might be. The Home Secretary, therefore, on the Second Reading of the Bill of 1906, announced the necessity of acquiring more statistics on the subject and further knowledge of the probable effect of an eight hours day. With that object in view he appointed the Committee to which I have referred, which met under the chairmanship of Mr. Russell Rea. That Committee, as I have said, produced an exceedingly able and exhaustive Report, but a Report of a somewhat judicial character. I have no doubt that while I shall be able to quote sentences from that Report in favour of this Bill, the noble Lord opposite who intends to move that it be read three months hence will probably be able also to quote passages from the Report against the Bill; but that will not prevent me quoting sentences from the Report in favour of the Bill as introduced by His Majesty's Government.

This Report dealt with the position in the mines as they are at present worked. On a full working day the average hours bank to bank of an individual miner are just over nine, but the hours are not the same for all classes. The average hewer is eight hours and thirty-six minutes underground, of which time he spends sixty minutes travelling to and from his working place, and thirty-nine minutes in meals, leaving six hours and fifty-seven minutes for productive work. For persons other than hewers the average hours underground are nine hours twenty-eight minutes, of which thirty minutes are spent in travelling and thirty-nine in meals. Eight hours and thirteen minutes are available for productive work. As those of your Lordships who are interested in coal-mining know, the hours vary considerably in different districts. But a miner does not work six full days a week; a proportion of short and idle days is customary. Reckoning these in, the Committee found that his "theoretical full time" was just under fifty hours a week. But a further deduction has to be made for: (*a*) Stoppage of collieries from bad trade, strikes, etc.; and (*b*) voluntary absenteeism of men from the pits on days when work is available. From these two causes the Committee calculated that 13 per cent. of the "theoretical full time" is lost, and that the average time actually spent by all classes underground is only forty-three and a half hours a week.

After consideration of this Report the Government Bill was drafted and introduced at the end of the session of last year. There was no time to proceed further with the question during last session, and the Bill was introduced again unaltered at the beginning of this year. But, before the Second Reading, the Home Secretary resolved to change the scheme of Clause 1, and in place of giving the average worker nine hours for eighteen months and thereafter eight hours, to give the average worker eight and a half hours for five years and thereafter eight hours. His object was, first, in the interests of safety, to give a longer time in which the industry might accustom its methods to the new condition of affairs, so as to obviate any danger which might otherwise have occurred, particularly temptation to hurry the winding, and to avert a possible economic disturbance which might have resulted from a shortage in coal and consequent rise in price. There was also the consideration that a reduction to nine hours would have had little or no effect in several districts, while the reduction to eight and a half would give some immediate benefit to the men in almost all districts. Under the Bill the Inspector of Mines is to approve the length of time fixed for lowering the shaft and similarly that for raising it, the object being to provide against evasion of the Act which might be effected by unduly lengthening the winding time or risking an accident if it were to be unduly shortened.

There are three safeguards in the Bill. One is that officials of the mine, except firemen, are totally exempted from the Act, and exemption is provided for all the workers when there is danger to be met or some emergency which requires to be dealt with at once so as to prevent serious interference with the ordinary working of the mine. The second safeguard is that overtime of one hour a day on sixty days in the year is allowed to meet seasonal demands and also to mitigate the effect of the Act on old collieries. The third safeguard is that power is taken, in Clause 4, to suspend the working of the Act altogether in the event of war, imminent national danger grave emergency, or economic disturbance due to shortage of coal.

There are some few objections which I imagine will be urged by noble Lords opposed to this Bill and with which I should like to deal somewhat briefly before I sit down. One objection which may be brought is that this is a miners' Bill. That is, of course, an accusation which it is easy to bring against most Bills. I suppose that those of your Lordships who sit on this side of the House would say that the Licensing Act of 1904 was a publicans' Bill. Most Bills are certainly brought to the notice of the public by the classes affected. In that sense it is true to say that this is a miners' Bill, but it is no more true to say that it is a miners' Bill than it is to say that other measures of a similar character are introduced and promoted by the classes who are going to benefit by them. The next objection which I suppose will be taken is that this Bill is likely to restrict the output of coal and to increase the price. I think there is one organisation known as the Coal Consumers' League, of which the noble Lord opposite is president, which has estimated the increase at no less than 5s. a ton. I shall be interested to know whether the noble Lord endorses that estimate, or whether he will say, when he moves the rejection of this Bill, that in his opinion it is an excessive figure. We shall all be interested to know how far the noble Lord was—shall I say?—the author of it.

Lord NEWTON: I never made the statement.

Earl BEAUCHAMP: The question is how far this Bill will seriously restrict the output of coal. Prophecies of that kind are familiar to your Lordships. They are always brought forward when any Bill of this nature is introduced. It was stated that the Workmen's Compensation Bill—I take that because I do not wish to make a party point of it—would have so great an effect on the conditions of labour as to take away the profits from a large number of capitalists and employers in various occupations and trades. We heard it even with regard to the gold-mines in the Transvaal when we proposed to abolish Chinese labour. But these prophecies, though they are made with some frequency, are not always borne out in actual practice, and I think we may fairly say that there is no reason to suppose that these somewhat lugubrious prophecies are likely to be entirely fulfilled when this measure becomes law. A prophecy of that kind might have some substance if all coal-mines at the present time were working full time, but that is far from being the case; 44 per cent. of the mines in this country are now working slack time, so that your Lordships will see that there is a considerable margin by which, in the case of mines where labour is not being fully employed at the present time, the output might be considerably increased.

But I would venture to ask your Lordships to turn your attention to the Report of Mr. Russell Rea's Committee. The Committee do not accept the contention that there would be as great a reduction in output as in the aggregate time of all classes underground, calculating the eight-hours day from the first cage down to the first cage up. The aggregate reduction in the time of all classes underground was given at 10¼ per cent., but the Committee give various reasons why, in their opinion, there would not be a corresponding reduction in the output. The stoppage of collieries for bad trade and accidents was, in the opinion of the Committee, calculated to account for the loss of over 7 per cent. of the present full time. Then there was the case of voluntary absentees from the pit at times when work was available. That, the Committee calculated, would result in a loss of over 6 per cent. of the time of the pit's work. Taking those two cases together, the Committee consider that part, at any rate, of the present full time now lost would be made available, and that also there would be a considerable mitigation of the effect of a legally restricted day for a number of various other reasons.

In the first place, there was the idea that there would be a considerable increase in the efficiency of the labour at present employed, especially in those districts where the hours now worked are the longest. I should like to ask your Lordships' special attention to the evidence given by a Mr. Hann, one of the best witnesses before the Committee. He said that South Wales men would be able, if they were pressed, to produce 10 per cent. more than they did at the present time. I may also—and this is, I think, very pertinent to the matter—direct your Lordships' attention to the fact that Durham and Northumberland hewers, who work shorter hours, produce more coal per man per hour, and that on a short day the percentage of output per man is higher than on a full day. It is agreed that men who are working for a shorter time do produce more per hour than they do when working for a longer period. The second direction in which they thought there would be a mitigation of the effect of the legal day was in improvements in the mechanical equipments of many collieries; and, thirdly, by the extension of the use of labour-saving machinery. They also suggested that by the extension of the system of working more than one shift per day, which is common now in the North of England, but elsewhere exceptional, there would be a considerable increase; and, lastly, that by improved conditions of labour there would be a further increase in the output.

On the main principle underlying this Bill I do not think there is really any very great difference between the two sides of your Lordships' House. There has been legislative interference with hours of labour before now. I rather fancy that both sides of your Lordships' House are equally involved in guilt, if there is any guilt, in the matter. There is, indeed, no reason to argue as to whether it is either desirable or proper to interfere by law with the hours of labour in special industries. Figures have been put forward sufficiently often to show that any slight increase there might be under this Bill would not at any rate spell ruin to the coal companies of this country. They are, I think, generally speaking, exceedingly prosperous, and this is no burden to put upon the industry at the present time.

Finally, we are bound, I think, to notice the fact that this is not merely a national movement in this country, but part of an international movement. In the United States, in Germany, and also in Belgium steps are being taken to regulate the hours of labour in mines. Under these circumstances it is not asking very much, I think, that His Majesty's Government should put this Bill before your Lordships for your consideration now. I think it is quite obvious that in the neutral markets of the world the country which will win will be the country which possesses the most efficient workmen, and it is, I think, quite easy to prove that, under the proposals of His Majesty's Government, which give shorter hours of labour to miners, much will be done to improve their efficiency, and certainly to make life more tolerable for one of the hardest-working of the various classes in the community. Under these circumstances I hope the Bill will receive a Second Reading.

Moved, "That the Bill be now read 2ª."—(*Earl Beauchamp.*)

LORD NEWTON, who had given notice, on the Motion for the Second Reading, to move that the Bill be read a second time this day three months, said: My Lords, the noble Earl who has moved the Second Reading may be congratulated upon the fact that he has made the best of a bad case, and I will own that I do feel some slight hesitation in my own mind as to the wisdom of the course which I propose to adopt, but not for reasons which will probably suggest themselves to the noble Earl. This is a Bill for which, obviously, His Majesty's Government feel no enthusiasm at all. It is a Bill which is extremely unpopular in the country, and His Majesty's Government have so little confidence in their own measure that not only have they introduced numerous limitations in it, not only have they, for the purpose of conciliating their supporters, exempted one important district temporarily from the operation of the Bill, but they are actually going to postpone the operation of this beneficent measure for no less than five years, when the duty of administering it will fall on somebody else.

I can conceive that I might be doing a good turn to the Government by procuring the rejection of this Bill. I might also be serving the purposes of some Gentlemen on the other side if this House thereby became embroiled with the Labour Party, and I should thereby involuntarily be contributing my own personal assistance towards that thankless and ungrateful task of "filling up the cup," which up to now has been pursued with so little success. But I must admit that, as far as I am concerned, principles weigh more than tactics, and therefore I have every intention of going on with my Amendment and proceeding to a division. The noble Earl, in order to recommend his Bill, mentioned that this proposal had been supported in the past by Members of the Unionist Party, notably by Mr. Chamberlain and by Members of the late Administration. As far as I am concerned, that produced no effect upon me whatsoever. I regret to say I have occasionally known my political leaders vote for extremely foolish things, and, as a matter of fact, the case of Mr. Chamberlain is not an accurate case. Mr. Chamberlain, it is perfectly true, did announce himself in favour of the principle of this Bill. At the same time, as I know perfectly well, he was in favour of the principle of local option in connection with the Bill, and I imagine that if the principle of local option were introduced by your Lordships' House the Bill would practically be killed.

The history of this Bill is as follows. The proposal of an eight-hours day for miners first made its appearance in 1888, when it was recommended really in order to reduce the output. It was openly stated that 20,000,000 tons of coal too much were produced in the year, and that, therefore, this Bill was necessary. As, naturally, this proposal did not commend itself generally it was then put forward as a cure for unemployment; but I presume it very soon dawned upon all intelligent persons that the Bill, instead of preventing unemployment, would undoubtedly be a strong contributary cause of unemployment. Then we come to the humanity plea. I am afraid the fact cannot be denied that the humanity plea has been completely shattered by the Report which the noble Earl has quoted, and, to be perfectly frank and honest in the matter, this Bill has now become what I might term a test of political docility, and we are told it has got to be passed because the majority of miners want it.

It is perfectly true that this Bill has, on many occasions, passed a Second Reading in the other House. A very much worse Bill of the same character also recently passed a Second Reading in the House of Commons, and it is only charitable to assume that the persons who voted for this Bill were under the impression that an eight-hours day was a thing like female suffrage which might be safely voted for under certain conditions, and that some lucky accident would prevent its passing into law. But when the present Government came into office it was intimated to them by the Labour Party that this shilly-shallying with the question must come to an end, and the Government, being anxious to discover some rather better reasons than had been hitherto advanced in favour of this measure, appointed a Committee, of which we have heard to-night, in order to consider the economic effect of an eight-hours day.

Before dealing with the Report of this Committee, may I, in a sentence or two, sum up the present situation and what it is proposed to do? Roughly speaking, there are in this country something like 900,000 men employed in or about coal-mines, the majority of whom, of course, work underground. The wages of these men, which are admitted to be good, but not higher than the circumstances justify, are governed by the price of coal. There are something like 3,000 pits in this country, and no two pits are exactly alike. Some are dangerous, some are safe, some are deep, some are shallow, some can profitably be worked under a shorter hour system, while in others it is necessary that the men should work longer hours. In some the men can get to their working places at once; in others it takes them an hour to reach their working places. Some of them are well-equipped with modern appliances, and some are old-fashioned. I do not know whether it strikes your Lordships in the same way, but when I see a proposal deliberately put forward to place all these mines under a rigid and cast-iron eight-hours rule, differing as they do in every particular, it really seems to me about as sensible a proposal as if you were to pass a Bill that nobody should wear boots of more than a certain size irrespective of the size of their feet. Supposing a law of that kind were passed, it is pretty obvious that those persons who could not be accommodated to the State boots would have to do without them altogether, and that is precisely what will happen under this Bill. Those mines which are unable to exist under a rigid eight-hours day will disappear.

Now, with regard to the Committee. This Committee, which certainly could hardly be described as a hostile Committee, considering that the Chairman was already pledged to support this particular Bill, and one of the other Members was a supporter of the Government pledged to the same thing, sat for a long time and examined all kinds of witnesses, including owners, engineers, Government inspectors, medical officers, and miners agents—in all seventy-four witnesses. It is a most remarkable fact, and I have not seen it alluded to by anybody, that of all these witnesses there were only three who expressed an opinion in favour of the Bill. I have read all the evidence and also the Report, and I have been unable to discover any but these three, who were miners' agents with advanced views, and whose evidence was immediately contradicted by men from the same neighbourhood. Every other witness pointed out the difficulty there would be in putting the Bill into force. The promoters of the Bill—the Miners' Federation—never appeared at all. These are the people who promote the Bill, and instead of coming and answering questions and giving their reasons for the Bill, they stood aloof, and gave their orders that the Bill was to pass. They intimated to the Government that the Bill had got to pass. They knew their men, and the result has completely justified their attitude.

The Federation also intimated that if this Bill did not pass there would be a general strike. So far as I am able to gather, there will be a strike in any case. We are told by the miners' leaders that there will be a strike if the Bill does not pass; but it appears to me a strike is equally inevitable if the Bill does pass, because I cannot imagine that the owners are going at once to pay men who are working nine and a half hours the same wages when they work only eight and a half. The Committee, as the noble Earl pointed out, found that whereas the hours varied exceedingly in different places, the theoretical number of hours put in during the week was forty-nine hours fifty-three minutes, but that the actual time was no more than forty-three hours and thirty minutes, not, on the whole, it will be admitted, an excessive figure if applied to any trade. So much for the hours.

Now as regards health. The noble Earl seemed to convey the impression that the health of miners was distinctly worse than that of other workmen. I will call his attention to this passage in the Report—

> "The Committee find that the health and physique of coal-miners compare favourably with those of any other class of workpeople. While we have found in the districts in which the longest hours are worked that the same standard is not maintained, we believe that a legal limitation of hours underground to eight per day cannot be expected to produce any marked change."

Now I turn to the question of safety. There is no special recommendation with regard to this subject, but the noble Earl rather seemed to imply that if this Bill were passed the miner would be in an emphatically safer position than he is at the present moment. I extract this sentence from the Committee's Report—

> "We have failed to obtain any evidence which could associate the number of accidents in any disproportionate degree to hours in excess of eight, spent underground or districts where the longest hours are worked."

Although mining is not an unhealthy, we know that it is an extremely dangerous occupation, and the death-rate is heavier amongst miners than in any other occupation, except that of the sailor. But what is the cause of the large number of fatal accidents which, unfortunately, constantly take place amongst miners? Every now and then we are horrified at the terrific loss of life which occurs in consequence of explosions. And I might add that those are incidents which very frequently show the miner in his best light in respect of the courage and the devotion which he so often displays. But this is not the main cause of the fatal accidents which occur in collieries. The main proportion of accidents, fatal or otherwise, occur in the course of everyday work—they are accidents which arise from fall of roof, sides, and so on, and the man's safety really depends to a great extent upon himself. One of his duties is to make his place safe. I will ask any sensible person whether, if you are going to reduce the man's hours, it is not absolutely certain that, in order to make more money, and in consequence of being contracted in this way, the inevitable result will be that he will naturally take fewer precautions for his own safety. So much from the point of view of health and safety. I contend, and I think any reasonable person will contend, that this Bill, so far from placing the miner in a safer position, will most emphatically render his occupation more dangerous.

I pass from these two questions to the economic effect. The noble Earl was disposed to charge people who have opposed this Bill with considerable exaggeration in regard to the estimates they have formed on this matter, and he alluded especially to estimates which had been put forward by the Coal Consumers' League, with which I have the good fortune or otherwise to be connected. I am not prepared to admit that there has been any considerable exaggeration. For my part, I never yet heard of a league which did not exaggerate at one time or another, and more especially when elections were going on. But when I think of the statements which were made not so long ago with regard to other miners, yellow in colour, then I am positively stupefied at the moderation of the statements which have been made by the opponents of this Bill. It is really no use to contend that there will be no reduction of output under this Bill. The noble Earl, in common with those who support this measure, takes up the attitude that the more you reduce a man's hours of work the more he will produce. Figures will not bear this out in the least.

I suppose the noble Earl will admit that there has been on the whole a tendency towards a reduction of hours during recent years. That being so, I would like to point out that, going as far back as 1880, the number of tons then produced per head by men working underground in this country was 413; in 1883 it was 429. Taking a year nearer the present year, in 1889 it was 400, and during the year 1905, which is the last year, I believe, in respect of which figures are available, the amount produced was only 361 tons per head. So much for the argument that the shorter the number of hours worked the more is produced. The Committee, as a matter of fact, found that there must be a reduction of output, and that there must be a consequent rise in the price of coal. They admit that in no other country are manufacturing activities so chiefly dependent on the coal produced within its borders, and they proceed to say that the first necessity of the manufacturer is coal. I do not wish to incur the disapprobation of the noble Earl by indulging in exaggerated estimates. I will be studiously moderate. I will assume an increase to the extent of 1s. per ton, and ask the House to consider what this means. An increase in production of 1s. per ton, which would presumably be got out of the consumer, would, in the case of the shipping trade, mean an extra £1,000,000 a year; in the case of railways, it would mean £800,000 a year; in the case of the cotton trade, it would mean £200,000 extra; in the case of gas it would mean an extra £1,000,000 a year, and in the case of iron and steel it would mean an extra expenditure of £1,500,000 a year; and in connection with this I cannot resist quoting a passage from a speech delivered in this House by a noble Lord opposite at the commencement of this session. Lord Airedale, in moving the Address this year, observed—

> "Your Lordships will be aware that there has been an Committee of inquiry, the result of whose deliberations is to confirm the general opinion that by limitation of hours you will have restriction of output; that if you have a restriction of output you will have an increase in cost. Coal is the primary necessity of all our manufactures. In the iron and steel trades, with which I am associated, each ton of iron or steel consumes several tons of coal, and if you increase the cost of coal you will increase the cost of steel and iron. You will thereby enhance the cost of raw material and diminish the demand for our ships, engines, and manufactures, and consequently diminish the employment of those engaged in those special industries."

I do not think that even a member of the Coal Consumers' League has made a stronger statement against the Bill than that, and, under the circumstances, to have selected the noble Lord for the purpose of moving the Address in reply to the King's Speech, in which this Bill was mentioned, seems to me one of the most heartless practical jokes that I can think of.

In addition to the figures I have quoted, you have, of course, to consider the export trade. Anybody who reads the Report of the Committee will discover that our export coal is in acute competition, and that any special handicap to British export coal is immediately effective in reducing British exports. I need hardly remind the House of the agitation which was successfully carried on against the export duty on coal. The real point is this. It is not so much a question of whether the extra cost of production is going to be 1s. or 5s. The danger is this, that if you really do reduce your output the price of coal may go up to a positively fantastic figure. Coal, as has been pointed out over and over again, is the first necessity for the manufacturer. He must have coal. Whether it is cheap or dear, he has to buy it. It is not a luxury; it is a thing he must have, and experience has shown that in years when there was any fear of a shortage of coal prices have risen enormously. In the language of the Committee—

> "If there is even a small temporary excessive demand beyond the immediate powers of the colliery to supply, then a considerable danger will arise to the consumers in this country."

In plain words, a situation might perfectly well arise in which the consumer would be absolutely at the mercy of the coal trade. I am not going to dilate any further upon this particular aspect of the question, because there are noble Lords who are engaged in business and who can speak with much greater authority than I can on this particular aspect. But I should like to remind the House, in case the fact has been forgotten, that this impost upon the consumer is the work of a Free Trade Government, a Government returned for the special purpose, according to their own statements, of looking after the interests of the consumer; and their method of safeguarding those interests is to put an enormous tax on a raw material—a thing which the most ardent Tariff Reformer has never even suggested!

I have dealt with some of the difficulties raised by this Bill, and it is only fair that I should now draw attention to the remedies and the palliatives suggested. It has been suggested that, although a restriction is inevitable, yet a mitigation of the effect of a reduction of hours might be obtained by securing greater intensity of labour, and by doing away with those holidays which miners not unreasonably enjoy. But what reason is there to suppose that the men do not now work as hard as they can? A coal-mine is not a pleasure resort, though I once heard a noble Lord opposite, when he was a Member of the other House, describe it in such idyllic terms that one might suppose that the highest form of enjoyment would be to dig coal for the noble Lord. Men go down to coal mines to make as much money as they can. The majority of them are paid on result; therefore, why should it be assumed that they are not working at full pressure, and that it is not the interest of the owner to get as much coal out of his mine as he can? With regard to the suggestion that the miner will, if this Bill is passed, work in a more regular manner and on more frequent days, why on earth should he do anything of the kind? He does not propose to have his wages reduced. He proposes to exact precisely the same wages in future as he receives now. Why, therefore, need he trouble himself to work on more days than he is doing at the present moment? At present he works under what I venture to call common-sense principles. He goes more or less when he likes, and he leaves more or less when he likes. The term "master" in connection with a coalmine is almost a misnomer. The masters have to take into account the wishes of the men and the orders which are issued to them by the men's leaders. But, as a matter of fact, the system works out very well. If a man wishes to take a holiday he works rather longer on one day so as to be free from work on another. It is a perfectly natural thing to do, and I cannot see why it should be necessary to interfere with it. It is, to my mind, a mistake to suppose that in order to suit the academic views of Liberal politicians he is going to adopt a totally new standard and work more days in the week.

Let me take another suggestion which has been made. The noble Earl suggested, and the Committee suggested, that it might be met by the extension of labour-saving machinery. Here I would ask, Are colliery owners absolute fools? Are they incapable of managing their own business? If labour-saving appliances—coal-cutters, and so forth—are advantageous to them, is it likely that they would not make use of them to the fullest extent? As a matter of fact, if there is opposition to the use of these labour-saving appliances the opposition comes from the men and from the men's leaders; and if anyone doubts what I say I would refer him to the evidence given before the Committee. Another alternative which has been suggested is that of multiple shifts. Here, again, I would refer people who feel any hesitation on the subject to the evidence, and they will find that multiple shifts are not objected to by the owners, but by the men. When this anxiety on the part of the men to work in multiple shifts is alleged, I would call attention to a rule of the South Wales Miners' Federation, to the effect that the object should be—

> "To endeavour to secure by legislation the reduction of the hours of labour in mines to eight hours from bank to bank, and to oppose the system of double shift except where absolutely necessary for the purpose of ventilation."

There is one more suggestion—namely, that an additional flow of labour should be secured from outside. As a matter of fact, mining is more or less an inherited profession, and the ranks of miners are not largely recruited from outside. I would also remind the House of this fact, that mining is a protected trade. A man is not allowed to work at the face of a coal mine alone unless he has previously worked for two years in the mine, and only a short time ago a Bill was introduced by responsible miners' representatives, I think with the aid of Sir Charles Dilke, which actually proposed to enact that no man should be allowed to work in coal mines unless he had previously worked there before attaining the age of eighteen years. Therefore it seems that the flow from outside, contemplated by the noble Earl, is not likely to be appreciated by the miners at the present time.

I have pointed out the objections to this Bill, and I hope I have disposed of some of the arguments in favour of it. It only remains to deal with the question why this Bill is brought in and what its object is. I must candidly admit that were I a miner I should in all probability be in favour of this Bill, more especially if I were told that I was going to get the same wages for eight hours that I got for nine or ten hours and if I believed it. But, at the same time, I should have a poor opinion of the intelligence of my countrymen if I succeeded in obtaining this privilege. Nobody at the present moment is under the delusion that the miner is a poor down-trodden person who is incapable of looking after his own interests. As a matter of fact, the miners represent what is called the aristocracy of labour, and to institute special legislation for their benefit is to my mind almost the same thing as if you were to propose that there should be a special abatement of income-tax in favour of dukes. Miners as a class are men possessed of admirable qualities. They are intelligent, courageous, energetic, admirably organised, and led by extremely capable men who have attained the most extraordinary proficiency in squeezing the last ounce out of Governments, out of Members of Parliament, and out of Parliamentary candidates. I was first led to take an interest in this question from the fact that in former years I used to represent in the other House a mining constituency, and every now and then the miners' leaders would come to me and threaten that they would turn me out unless I did what they wanted with regard to an Eight Hours Bill. Even in those days I had just sufficient sense to realise that if anybody wanted to vote against me he would do so whether I supported an Eight Hours Bill or not. Therefore, although I am naturally of a meek disposition, I bade defiance to those gentlemen and I have never had occasion to regret the attitude I assumed.

I should like to impress upon the House that the loyalty of these men to their leaders is absolutely unquestioned, and I will cite an instance which came within my own observation. In the year 1892 the miners' leaders thought that too much coal was being got. Throughout the whole of the Federation area they ordered a stoppage of work, and the pits all through that area stopped from 12th March to 21st March, solely because too much coal was being got. That particular case is an illustration of the way in which prices may be made to rise. Before this stoppage took place best coal stood at 27s. a ton, but after the stoppage it rose to 34s.—an even larger margin than the problematical increase suggested by the Coal Consumers League. I give this illustration in order to show the extraordinary power wielded by the Miners Federation. I really doubt whether there are such powerful autocrats in this country. They can literally move the men in and out of the pits like so many pawns. Will anyone seriously believe that men with this tremendous power and with this organisation behind them could not have obtained this measure long ago if they had really been united? The reason why this Bill is brought in is that they are disunited.

Now I come to the last point of all—the object of this Bill. It is no good denying the fact that the real object underlying the Bill is the reduction of the output. It is not avowed, but any one who can read has only to study the Report and the evidence to discover in almost every page that limitation of the output is what really is aimed at. I would refer anyone who doubts it to the evidence and to speeches which, in unguarded moments, have been made by representatives of the miners. On 11th April this year, Mr. Walsh, M.P., who represents a Lancashire division, stated that the hours worked would be reduced by one-eighth or one-ninth, and they would have to put an equal amount on the hewing price. They would, he said, get such an amount per ton as would compensate the men for the limitation of hours. Another speaker in the same month said the Bill would be the salvation of the coal trade, and that if it did not pass wages would very soon fall. This month another representative declared that they must remember that cheap fuel meant to the miner starvation wages.

I do not profess to have dealt exhaustively with this Bill. I have left unsaid a good deal which I might have said, and those who have paid me the honour of listening to my remarks will realise that I have said nothing on the entirely novel principle of the interference with adult labour and the refusal to permit men to sell their labour to the best advantage. I have not done so because I imagine that even on the other side of the House there must still be some belated worshipper at the shrine of individualism who will have something to say on the subject. But I submit that not one single solid argument has been adduced in favour of this measure, except those which are dictated by pure political expediency. In other words, we are told that this Bill is to pass because there is a mandate. We know what the theory is with regard to this House and a mandate, and I am not prepared to quarrel with it; but I deny that there is a mandate on this occasion. To borrow a phrase from the noble and learned Lord below me, I would say that there is a sort of a mandate proceeding, not even from one trade, but from one section of one trade only. I know perfectly well what will be said if this Bill is rejected. It will be said that this House is incapable of sympathising with the claims of labour, and that we who have never known what it is to work with our hands or to earn a weekly wage have no right to have opinions on the subject at all. That may, in the opinion of some people, be true, but, at any rate, whether we have practical experience of labour questions or not, we at all events have sufficient sense to distinguish between what is to the general interest of the country and what is not; and it is because this Bill is unsupported by either serious facts or serious argument and because it proposes to penalise the whole of the community by conferring special privileges upon a class which is not even unanimous in demanding them, that I ask the House to reject it.

Amendment moved—

"To leave out the word 'now,' for the purpose of inserting the following words 'this day three months.'"—(*Lord Newton.*)

*EARL CROMER: My Lords, in common, I presume, with the rest of your Lordships I received a copy of this Bill at half-past ten this morning. We have, therefore, had a full six hours to consider a measure that certainly does not yield in importance to any measure which of recent years has been brought before your Lordships' House. I know it is no use going over this well-known ground again. His Majesty's Government is not responsible, nor is any individual responsible. The system is responsible. But my Lords, what a system it is! I have lived so long abroad that I have not had the opportunities offered to the rest of your Lordships of closely watching the working of the legislative machinery of this country. But I must say it does appear to me to afford the maximum of facilities for obstruction and delay and the minimum of facilities for deliberate consideration of important measures. I certainly hope that the Young Turks, in whom I take a great interest and who are now making their first faltering footsteps in the direction of constitutionalism, will not look to this country as a model for their Parliamentary procedure. Everybody recognises the evil; the difficulty is to find a remedy; and unless a remedy is found the legislative efficiency of your Lordships' House must be very seriously impaired.

I turn to the Bill. On the occasion of the Old-Age Pensions debate last summer I said that, in spite of the devotion, which I did not at all question, of His Majesty's Government to free trade principles, they were unfortunately producing a measure which would give a heavy blow to the cause which they were pledged to defend. I must confess, speaking as a free trader, that I earnestly wish the zeal of His Majesty's Government to the cause of free trade was somewhat more practical and less academic. Here we have another case in point. This Bill is almost equally objectionable, whether it be regarded from the point of view of a free trader or from the point of view of a tariff reformer. The free trader may argue, with what, I think, is unanswerable force, that the Bill provides for the interests of the producers and pays very little heed to the interests of the consumers. He may point to the fact that it will probably raise the price of manufactured articles throughout the country; that it will, therefore, by so much lessen our power of competing with foreign nations, and by so much also, I fear, stimulate the cry in favour of protection in this country. He may point to the fact, also, that it will affect every single industry in this country. My belief also is that it will affect every individual who lights a kitchen fire. The tariff reformer may, as the noble Lord has already said, point to the fact that coal is the raw material of every industry in this country, and that raising the price of raw material does not form part of the tariff reform programme.

The case against this Bill may really be put in the very smallest compass, and it does not require any technical knowledge of the peculiarities of the coal industry to understand it. The whole point is, will or will not the operation of this Bill raise the price of coal? There have been some exaggerated statements on this point, as the noble Lord said. I am not prepared to commit myself to any special figure. I have no doubt that the 5s. that was mentioned is very much exaggerated, and I am inclined to think that the figure of 1s. which was mentioned by the noble Lord behind me is rather below the mark, but so far as I can make out the best authorities think that coal is likely to be raised from 1s. 6d. to 2s. a ton. That has been contested. The noble Earl opposite dwelt on a number of reasons which had been given by the Departmental Committee for thinking that certain influences might be brought to bear which would probably mitigate this evil. The noble Earl will pardon me for saying that he could not have read the last remark of the Committee, for after studying those five different reasons the Committee spoke with a very faltering and uncertain voice as to the effect of those five reasons. What they say is—

> "The probable cumulative extent of the operation of these various influences in mitigating the effect of a reduced working day, in curtailing production, must remain a matter of uncertainty and of opinion."

They certainly do not convince me, and I do not think they have convinced most of those who are engaged in the coal industry. If the price of coal is to be raised, it is, I think, admitted on all sides that the Bill is open to very great objection. Let me assume for the sake of argument that the price of coal will not be raised—I do not agree with that view, but I am assuming that it is so. Then I maintain that the Bill will be disappointing, and will entirely fail to realise the objects which the promoters of the Bill have in view, for although, as the noble Lord behind me said, some of the miners would perhaps be content with the same wages and lesser hours of employment, it is perfectly notorious that the real backbone in support of this measure is the desire to limit the output of coal, and thus to increase wages which, as your Lordships will remember, in the case of coal are regulated by a sliding scale dependent on the price of coal. This was put very clearly some years ago by a Mr. Fenwick, who, I believe, is a Labour Member of Parliament, and what he said in 1901 is, I believe, as true now as it was then. He said—

> "My hon. friend has said that it is not the object of this measure to limit the output of coal, but this was really the object with which the agitation began. At the Bradford Trade Union Congress in 1888 it was distinctly stated that the object was to restrict the output of coal which was about £20,000,000 more than was necessary."

That unquestionably is the real object of the promoters of this measure, and if they succeed in that object the price of coal must almost of necessity be raised.

Let me also read one further extract from the Report of the Committee with a view to showing with what very great hesitation the Committee spoke of the whole of this subject. After dwelling on all the reasons to which the noble Earl has drawn attention, they say—

> "After giving all reasonable credit to these considerations, we are, nevertheless, convinced that the establishment of a fixed eight-hour day, whether introduced suddenly, or gradually by annual reductions of half an hour, cannot but result in a temporary contraction of output and a consequent period of embarrassment and loss to the country at large. The extent and the duration of this period will depend chiefly upon the intelligent and willing co-operation of both employers and workmen to reduce it to a minimum, both in the immediate interest of the public and the ultimate interest of the coal industry. Should such co-operation be lacking, and an interval of national inconvenience be extended and aggravated by the controversies to which the situation might probably give rise, respecting wages or other domestic arrangements, an industrial crisis of serious importance might ensue."

The Committee were so clear that an industrial crisis of serious importance might ensue that they went on to recommend the adoption of the practice which has been adopted in some other countries that the Executive Government should interfere and arrest the operation of the Act. That, in fact, has been done under Clause 6, I think it is, of the Bill. The noble Earl dwelt upon the practice in other countries. I wish to point out to him that the Committee have recognised that there was no analogy whatever between Austria, Holland, and France, where these measures have been adopted, and the United Kingdom. The only country which bears any sort of analogy to ourselves is the United States, which is a large coal-producing country. I think the noble Earl mentioned that in the United States measures similar to this had been adopted, but I really think the noble Earl is under a false impression, because the Committee most distinctly said that although laws had been enacted in the United States in restriction of the working day in mines in some States those States were not the great coal-producing States of America, and that in the chief coal-producing States no such laws have been enacted. Are we in a matter like this in a free trade country to go further in the direction of protection than the United States, which is pre-eminently a protectionist country? The real truth is that the only justification, except Parliamentary convenience, for this Bill, is the health question. If I was convinced that the health of the miners would be greatly improved by passing this Bill I should certainly think that that would cover a multitude of sins, and I should gladly withdraw any opposition on my part, but the case about health, as the noble Lord behind me has pointed out, breaks down hopelessly on examination. I need not read the Report of the Committee, but the case seems to me to be clear, and so also does the case which is based on danger to the miners. All the evidence goes to show that the danger to the miners, so far from being diminished, will be rather increased by this Bill.

Now, with regard to a wholly different class of arguments that have been raised. I am not a capitalist, and I am never likely to be one, and I have no particular mission to defend capitalists—I suppose they are no better and no worse than other individuals—but I do hold most strongly that the main disease from which this country is now suffering is a total want of confidence amongst the investing classes, and if we are to deal with unemployment, and all these various difficult social questions which are cropping up, I strongly maintain that we shall never be able to deal with them unless that confidence is restored. The point is one of vital importance, and I hope you will pardon me if I dwell on it a little longer. I hear it sometimes said that there is no capital in this country to invest. I do not believe there was ever a time when there was a larger amount of capital in this country to be invested than there is now. I happen to have been going into this question recently. My attention was directed to what Mr. Gladstone had said in one of his Budget debates, in the year 1862, I think it was. He then estimated that the annual accumulation of capital in this country was £50,000,000 a year. I am not prepared to commit myself to a figure, but I have been endeavouring, with the help of the most competent authorities, to arrive at what it is now. It is extremely difficult to arrive at accurately, but I have convinced myself of this, that the amount of the accumulated capital every year is enormously greater than it was in Mr. Gladstone's time. The lowest estimate I received was £250,000,000 a year. That was from a most competent authority, but, of course, I cannot guarantee the accuracy of the figure. The peculiar thing is that all that enormous amount of capital is not invested in industrial concerns in this country. If you go to any broker in the City, he will tell you you can readily get money for the Argentine, or for America, or for Russia, or for Japan, or for China, but you cannot get money for Great Britain. Why is this? Of course, a certain amount of this difficulty may be attributed to the fact that the rate of interest in this country is low as compared with that of some other countries. I daresay that accounts for a good deal. It is quite impossible to say how much it accounts for, but I think it is also perfectly impossible to absolve His Majesty's Government from a certain degree of responsibility in this matter. Consider what has been taking place in connection with this general subject during the last year or so. First, His Majesty's Government produce a Bill, the Old-Age Pensions Bill, which is said to cost the country some £6,000,000 or £8,000,000 a year, and which may eventually cost the country some £30,000,000 a year, without giving the country the smallest indication where the money is to come from. The only indication we have had is vague newspaper talk that in some way or other the burden is to fall on property and capital. That, my Lords, is not a fact which in its nature is likely to inspire much confidence. The next thing is that His Majesty's Government throw away, I think it is £3,500,000, in the relief of sugar duties. As a free trader I should not object to that, but I do object when I find that they throw that amount of money away with the positive knowledge that in a few months time that taxation will have to be put on again in, perhaps, a more objectionable form. Then, again, there is the language of the Chancellor of the Exchequer, and I ask whether that is calculated to inspire confidence. Surely not. Again, there is the Licensing Bill; I am not going to deal at any length with the Licensing Bill now, but I should like to say that I, in common with, I believe, a good many of your Lordships on this side of the House, hesitated a good deal about how we should have voted on that Bill, and I can only tell you, as far as I am concerned, what it was that made me go into the lobby with the noble Lords behind me. The main consideration was that as that Bill could not be amended, it was as well to give a decisive blow which would, in some degree, restore the great want of confidence that there is now on the part of the investing class. There was a speech made by Lord Faber on this subject when, I think, few of your Lordships were in the House; he pointed out that he represented £100,000,000 worth of debenture holders and preference stock-holders in brewery undertakings, whose interests would be very greatly depreciated if that Bill had become law. So that, my Lords, I say that our first interest is to restore that confidence which has received an additional and very serious blow from this Bill. If confidence is not restored, who will suffer? Not the capitalists, not the Members of your Lordships' House; it will be the working classes. Those are the people who will suffer, because they now want employment; they cannot get employment unless they are paid, and you cannot get money to pay them unless you restore the confidence, which has been so much shattered, of the investing classes, and induce them again to invest their capital in this country. I think I can safely say that we who hold these ideas and resist these measures are much truer friends to the working classes than those who make specious promises which cannot be performed, and put forward unsound economic proposals which will certainly react later on the very classes whom they most profess to benefit.

Then, my Lords, there is the question of public opinion. I am aware of the difficulties your Lordships' House is faced with in that matter. I hesitate to give any opinion about it, because it is only so very recently that I have taken any part in your Lordships' debates, but if I really thought that there was any effective public opinion behind this measure I would instantly say, however much I might see strong objection to that course, that I should withdraw my objection to this Bill. But as the noble Lord behind me said, there is nothing to show that there is any strong public opinion in favour of this Bill. The commercial classes are very much against it. Even the miners speak with an uncertain voice. In the other House it was very much opposed, and even by Liberal Members. There have been also several recent bye-elections, some of which have, to a certain extent, more or less turned on this question. I do not think it can be said that they prove anything very much in the way of showing that the public is much interested in this Bill. But, until we are certain that public opinion is such that we ought to pass this Bill, I cannot see my way to withdraw my objection to it, and if there is to be any doubt as to what public opinion really is, the sooner we get to some system of referendum the better, because then we shall know where we are.

I earnestly ask your Lordships to pause before you pass into law a measure of this far-reaching description. No measure has lately been brought before your Lordships' House which will so seriously, in my opinion, affect the trade, and, therefore, the general prosperity of the country. Of course, I am perfectly well aware that at this moment a campaign is being undertaken against your Lordships' House. I do not think we need be very much frighted by all this false fire, but in any case I cannot help thinking that we shall gain nothing whatever by endeavouring to conciliate those who are perfectly irreconcilable ; on the other hand, while not doing, what I must be permitted to say is our duty, we shall certainly alienate the sympathies of those who are our natural supporters, and who will, not unnaturally, cast in our teeth that we have not got the courage of our opinions. My objections against this measure are so strong that they cannot be removed by any changes that might be made in Committee. I am obliged to go away, and perhaps I may not be present at the division, but if I am present I shall certainly go into the lobby with the noble Lord behind me.

LORD ST. DAVIDS: My Lords, the noble Earl who has just sat down has given us his reasons for his vote on the Licensing Bill, and he has also told us that capitalists in Great Britain have no confidence in His Majesty's Government. That was all very interesting, and I should like very much to have an opportunity of saying something about it on some future occasion, but I think perhaps to-night I shall be more in order if I confine such remarks as I have to make mainly to the course of argument of the noble Lord opposite who has moved the rejection of this Bill. The noble Lord in his speech told us that this Bill had been brought in to gratify the academic views of Liberal politicians. I should just like to remind him and the House that this Bill passed its Second Reading in the House of Commons in the year 1906 unopposed, and that it passed its Second Reading in the year 1907 unopposed. This year for some reason or other some opposition to it has been whipped up, and yet in the House of Commons this Bill that the noble Lord has denounced so eloquently has only found 120 people to vote against it out of 670 on the Second Reading, and on the Third Reading, when no doubt Members understood it a little better, they could only find eighty-nine people to vote against it. After that, I think we need not consider this Bill as merely representing the academic views of Liberal politicians. I rather gathered that the noble Lord was a little uneasy whether that might or might not be so himself, because in his very amusing speech he gave us a number of confidences about his own party. He told us that his leaders often voted, and then he modified it to sometimes, for very foolish things.

LORD NEWTON: Conscientious objectors.

LORD ST. DAVIDS: I am not cavilling at it. Then he went on to say that he regarded this Bill as a test of political docility. He said that the Miners' Federation knew the men with whom they were dealing, meaning the Government, when they pressed it on, and that, of course, the Miners' Federation naturally knew that the Government was in favour of this Bill all along. I rather thought the noble Lord opposite had just a little doubt in his mind as to whether the Miners' Federation did not also know the men they had to deal with on the benches opposite. I rather gather that the noble Lord in all that speech about political docility, and about his leaders voting for foolish things, was rather wondering whether his leaders on the front bench opposite were going to support him in the attitude he had taken up. What did he say ? He said the Bill was unpopular in the country. The noble Lord has been conducting a political agitation. He has come into great prominence with a thing called the Coal Consumers' League, which has, undoubtedly, had a great influence at bye-elections. What has this league been saying ? People take the most different views as to what the effect of this Bill, if it becomes law, is going to be on the price of coal. Speaking generally, those who are in favour of the Bill think that it will either not raise the price of coal at all, or if it does that it will raise it by from 4d. to 6d. a ton. Those who are against the Bill think that the rise in the price of coal — I am talking now of the permanent rise in price—may go as high as 2s. or even 3s. But, of course, everybody knows that it is possible there might be for a few days or a few weeks a panic when a Bill of this kind has been brought in. The Bill has been very much misrepresented, and it might lead to a panic which might be the cause of a temporary rise of price, and nobody can put a limit to what rise of price there might be in a short panic. But no responsible person has ever argued that there could be a permanent rise in the price of coal under this Bill of more, at the outside, of 2s. or 3s. a ton.

LORD NEWTON: That is quite enough.

LORD ST. DAVIDS: That is just what I want to get to; it is the noble Lord that I want to get to. The noble Lord is the chairman of the Coal Consumers' League; he has been going round the country with a leaflet—that is why the Bill is rather unpopular until it is understood—saying that the permanent rise in coal under this Bill is going to be 5s. a ton. That is why the noble Earl who moved the Second Reading of this Bill, called on the noble Lord opposite, I think not unfairly, and said: "Do you stand by that leaflet; are you responsible for that leaflet or do you repudiate it?" Surely your Lordships all agree that when it is not a phenomenal person out of doors, but a responsible man, a man of high position in the country, a Member of your Lordships' House, who is chairman of a league taking part in an active agitation, and putting forward a definite thing in black and white, when the chairman of that league is asked on the floor of this House: "Do you justify or not here in public the statement which you and your friends have been putting forward?" we are entitled to something more from that noble Lord.

LORD NEWTON: Nobody can possibly tell what the price of coal will be in the future; those are matters of speculation. I have never said that coal is going to cost 5s. a ton more.

LORD ST. DAVIDS: No, you have not; but the league of which you are chairman has said it, is saying it, and has not stopped saying it, and as you are chairman of the league which has said it and is saying it, we are entitled to ask you, do you stand by it, do you justify it, or do you admit that it is unjustifiable? That, at any rate, is a question which I think is a fair question to put to the noble Lord and his league, and I venture to think that in this House, at any rate, it is no answer to a statement like that to say that at election times various people in various places make mendacious statements. As to any likelihood of an increase in the cost of coal, I should like to point out that under the provisions of this Bill it only takes effect in the summer, except as regards Northumberland and Durham, when coal is usually cheapest, and is most plentiful, and when there is less likely to be any panic of any sort or kind on the passing of the Bill. I am not talking of a week or a month, but we are in a period which may go on for a year or more, perhaps for several years, a period in which the prices of coal are falling; coal is plentiful and there are, undoubtedly, rather likely to be falling markets than rising markets. Therefore, the chance of coal going up in price because of a popular panic is at the present time very unlikely indeed. The noble Lord who opposed the Bill put the extra cost of getting coal at 1s. a ton, and the noble Earl who spoke next put it at 1s. 6d. to 2s. a ton.

*EARL CROMER: What I said was that competent authorities appeared to think that that would be the extra cost. I was not speaking for myself, because as I said, I did not consider that I was a competent authority on that matter.

LORD ST. DAVIDS: The noble Earl adopts the view of what he calls a competent authority. I do not know what authority that is, but in the part of the country where I live the miners are being paid by the ton for getting coal; they are paid 2s. 4¾d. a ton; that is what the hewer of coal is getting. If he is getting under 2s. 6d. a ton, and if under this Bill the production goes down—I doubt if it will go down at all—5 per cent. or even 10 per cent., is it reasonable to suppose that where a man is being paid less than 2s. 6d. a ton the fact that he is going to work 5 or 10 per cent. less time is going to put cent. per cent. on to the price of coal? It seems to me that the idea is a preposterous one. You must remember this, that colliers are paid by the ton, and because they are paid by the ton they are pretty certain to get out all the output they can. Some noble Lords may say that may be so, but they are also paid on a sliding scale, and if the reduction of the output puts up the price of coal that also will meet the views of the miners. But we must remember this, that it is constantly being found in industries in this country where you lessen the hours of labour you do not reduce the output at all in some cases, and in many of the other cases you do not reduce the output anything like in proportion to the period by which you limit the hours of labour. Let me give your Lordships two instances where that has actually occurred. When the great chemical firm of Brunner Mond adopted the eight-hours system I remember the remark being made that the result was quite extraordinary, as the men in the shorter number of hours put out very nearly the same amount of stuff that they had before put out in the longer number of hours. The other case that occurs to me is that of Messrs. Mather & Platt, where exactly the same thing occurred. Among all who are interested in this question in South Wales, at any rate, it is common ground that whether or not the output could be maintained where it is now, it would, at any rate not go down in proportion to the reduction of the hours of labour. The men in the pits are down there and cannot get up at any minute they wish to do so, they can only get up when winding begins, and very often men have done as much work as they are physically fit for, and have to knock off, but they cannot get to the surface, and they have to lie about and wait at the bottom of the pit until winding begins. All those men's time is reckoned in the long hours of working, whereas if the hours were shortened these men's work in proportion to the hours of labour would be more effective. Then we must remember that the miners cannot really control their wages by limiting the output, because you can easily get more labour into the pits, in fact, we constantly do. All over Wales in the agricultural districts the young men drift off to the coal-mining centres.

LORD NEWTON: Might I ask are they called skilled workmen?

LORD ST. DAVIDS: I do not know whether they are called skilled or not, but I know the immense extent to which the colliers of this country are young men, and that that number is increasing year by year, so that they cannot be men who can have had any very long apprenticeship. If you take the rate at which the number of miners is increasing, I think it shows pretty conclusively that they are not men who have had any very long apprenticeship. Then we have to face the fact that those who take the extreme view of the Coal Consumers' League ask us to pity the poor consumer and to think of nothing else. For myself I am very sceptical about all these prophecies of greatly increased cost. The noble Earl who moved this Bill has reminded you of what happened in the case of the Workmen's Compensation Act, that when miners were brought under it I do not think there was an authority that did not put the extra cost of working the mines at less than 2d. or 3d. a ton, and a great many people, we must remember, went so far as to talk about the ruin of the mining industry. As a matter of fact since that Act passed the mining industry has seen some of its very best days, and I believe that the outside that that Act is now estimated to cost the coalowners is something between ¼d. and ½d. a ton.

The noble Earl who spoke second in opposition to this Bill pressed us not to do anything to risk raising the price of coal, and the noble Lord, who spoke opposite took the same line, that it was most dangerous, that coal was the prime factor in all the other industries in this country, and that anyone who was raising the price of coal was practically doing the act of a very bad citizen. But, my Lords, after all we who are supporting this Bill deny, to start with, that there will necessarily be any rise in the price of coal at all. I think it is very doubtful, and if there is any rise I should myself put it down at 2d. or 3d. a ton at the outside. But there are other proposals in the air that would also add to the cost of coal-getting. Did your Lordships read a speech the other day, made somewhere up in the North of England, of a very distinguished Member of the last Government, Mr. George Wyndham? He was telling us what the party opposite are going to do when they get back into power. It is always interesting to know what they are going to do in that eventuality. What are they going to do? They are going to put a tax on timber—an excellent thing for a man who has woods, but it is not a very good thing for the coal industry; a tax on timber in this country means necessarily raising the price of every ton of coal you get out of the pit: it must mean it, and I venture to think, my Lords, when you are considering two proposals, one, a proposal like this in the Bill, which may conceivably raise the price of coal, though we do not know that it will, and the other which must raise the price of coal as long as that proposal remains law, I venture to think that this experiment is one which you, at any rate, ought to adopt first.

Then we are told that Parliament ought not to interfere with adult labour. Parliament has interfered with adult labour on many previous occasions. I do not see the noble Lord at the moment in the House who was responsible, for instance, for the great Bank Holiday Act which so many of His Majesty's subjects enjoy every year, but that was a proposal which interfered with adult labour, which both Houses of Parliament passed, and which nobody would, I am sure, wish to repeal. Such proposals as those which interfere with adult labour have been adopted by the Legislature of this country, and they are proposals which it is very reasonable to ask Parliament to extend. But we are told that it would be better to leave miners to rely on their own private exertions, to leave them to the exertions of their trade unions, than to try and help them to shorten their hours of labour by legislation of this kind. But, my Lords, is it better to ask the miners of this country to go into a strike, because that is what it means, rather than to try and obtain their objects by peaceful legislation? It is not so very long ago that this House passed the Trade Dispute Act. That Act put the great trade unions of the country back into the strong position in which they were before the Taff Vale decision. It has put them back into a position where they can strike with advantage, and strike with a strong hand; and I would ask you, is this House by its vote to-night going to tell the miners of Great Britain, who are determined to get these shorter hours, that in the opinion of this House it is better that they should get their eight hours day for themselves in their own way, by a strike, that must damage and ruin many other great British industries incidentally, rather than get it, as they ask, peacefully from the Legislature of this country?

There are foreign precedents, my Lords. France has adopted legislation on this subject, so has Holland; and Belgium is now suggesting laws of the same kind. In two great countries, and they are countries it is true which are great competitors, Germany and America, there is no legislation directly limiting the hours in mines; there is no legislation to that effect in America, because it is illegal under the constitution, but in both those countries the hours of the miners are much shorter than the average hours of the miners in Great Britain. In Germany I should remind you there is a law by which in mines where the temperature goes as high as 82 degrees Fahrenheit, the hours of the miners are limited not to eight but to six, and that is a much stronger proposal than anything which has been brought forward by His Majesty's Government.

I do not want to take up much more of the time of the House. I would only ask noble Lords before I sit down whether, in their opinion, after all this is not a somewhat high ideal that the miners are going in for. We have been told by the noble Lord opposite that the real thing at the bottom of this measure is that they are going to strike for higher pay. The miners have said nothing of the kind. They have been agitating for years and years for this proposal for shorter hours, because they believe it will be the thing best for themselves and their families, and I ask the House to support them in this demand to-night and to allow them to obtain their desire, not as the result of a great industrial war, but as the result of a demand which has been granted to them by the Parliament of their own country, and granted to them in peace.

*THE MARQUESS OF LANSDOWNE: My Lords, the two speeches which have been delivered from these benches must have brought home to His Majesty's Ministers, if it was necessary to bring it home to them, that their proposal is regarded in this House with very grave misgivings. I say at once that I share those misgivings, and I add that they have been very little, if at all, diminished either by the official explanation which has been given by the noble Earl in charge of the Bill or by the more pronounced utterances of the noble Lord who has just addressed us from the back benches. I wish at the same time to explain that, like my noble friend Lord Newton, I am certainly not going to argue this case upon the assumption that any interference on the part of the Government between employers and employed, any regulation of the terms on which adult labour is utilised, is to my mind undesirable or opposed to sound principles. We have left far behind us the days in which those tenets prevailed. But for my part, at any rate, I have always believed that whenever it was sought to afford protection to the people who *prima facie* might be regarded as able to protect themselves, it was necessary to establish two separate propositions; in the first place, to my mind, it is necessary to show that the particular employment upon which the persons whom you desire to protect are engaged is an employment of a specially irksome, or risky, or unhealthy nature, and, in the next place, it seems to me essential that you should prove that the persons in question are not really in a position to protect themselves. I ask the House whether those two conditions are present in the case of the coal miners, and first with regard to the conditions of their employment I admit at once that to my mind the employment of a coal miner is of a kind which, if no other considerations had to be taken into account, does give him a special claim upon the Government of the country. To my mind, the man whose daily work has to be performed, not under the firmament of heaven, but deep in the bowels of the earth, a man who has to stop at the bottom of a coal mine for a number of hours at a stretch, who is not able to come and go as he pleases, is a man who, to my mind, is entitled to the especial sympathy of the Legislature, and if the matter began and ended there I should be quite ready to affirm that in my view such a man ought not to be detained for more than eight hours below ground. I put it rather in that way than upon the ground of the unhealthiness of the miner's profession. The Report of the Departmental Committee has indeed been quoted with great effect to show that the health of the miners is upon the whole good. But I am bound to add that I think that part of the case is put sometimes rather too strongly by those who oppose legislation of this kind. We all know what a vast amount of literature has found its way to our tables lately upon this subject, and I have observed statements which really seem to suggest the idea that if anyone wanted to find a thoroughly salubrious climate and agreeable surroundings he should look for them at the bottom of a coal mine. My Lords, I can scarcely bring myself to believe that that is a reasonable statement; and I am also inclined to suspect that if it is true, as I believe it is true, that upon the whole the health of the coal miners is good, that is due to some extent, at all events, to the fact that they are picked men, and that it is only persons who are thoroughly sound and robust and vigorous who are employed upon this particular work, persons amongst whom, therefore, you would naturally expect to find a low percentage of invalidity. If I may borrow a phrase which I think was used by the Home Secretary quite lately, I suspect that it is true to say that these men are miners because they are healthy rather than that they are healthy because they are miners.

So much as to that part of the claim of the miners to special intervention by the Government. When you come to the other condition, their inability to protect themselves, I own that I am not so completely satisfied. So far as I understand the case, the miners are a particularly independent and a particularly highly organised body of people, and I cannot bring myself to believe that it is beyond their powers to obtain for themselves an eight-hours day if they really desire it. I attach importance to this because I notice that some of His Majesty's Ministers have hinted not obscurely that this legislation is only the precursor of a general movement, and that they have no idea of stopping short with the Bill which is upon your Lordships' Table.

So much with regard to the case of the men. But there are other parties whom we have to consider. What about the coal owners? They, I am given to understand, are by no means unanimous with regard to these proposals. They must certainly look forward to a certain amount of inconvenience and probably loss from the adoption of this Bill, but, on the other hand, I incline to the view that even if this Bill does lead to an increase in the price of coal, and perhaps because this Bill will lead to an increase in the price of coal, the coal owners will have no great difficulty in taking care of themselves: a rise in the price of coal generally enables the owners of collieries, so at least I am informed, to ensure that a sufficient portion of the increase finds its way into their pockets, and that in moments of candour has been admitted more than once by the owners of collieries. Therefore, I am not greatly concerned for the owners of collieries.

But there is another party whom your Lordships have to consider in relation to this subject, I mean the consumer, and to my mind it is the case of the consumer which most demands your Lordships' careful attention. His Majesty's Ministers formerly had the reputation of taking the consumer under their special protection. We occasionally ventured to hint that there was such a person as the producer who required a little looking after also, but we were always told that that meant protection, and that protection was a heresy. Here is a case where the producer is certainly going to be protected. It is protection to my mind, and in its most naked form, and I ask your Lordships to consider what is the particular commodity which is going to be the subject of this particular form of protection. Now coal is a commodity which is not a luxury; it is not an article of consumption of which the use could easily be discontinued by those who use it. We can conceive that people should do without tea or perhaps by a stretch of imagination even without sugar, but to imagine the people of this country doing without coal requires a stretch of imagination which I cannot command. It seems to follow that any interference with the price of that particular commodity, any artificial inflation of the price of that commodity, is about as dangerous a step as any Government could well contemplate. We are told, and we are told with great assurance by the noble Lord who spoke last, that this Bill will not materially increase the price of coal. My Lords, *prima facie* it seems to be almost evident that if you increase the expense of raising coal you must diminish the output, and that if you do this you must increase, to some extent, at all events, the price. This is, indeed, affirmed unambiguously in the Report of the Departmental Committee which warns the readers that the adoption of an eight-hours system cannot fail to occasion at any rate some temporary embarrassment to the industries of this country. The only question, therefore, seems to be what is the extent of that embarrassment? The Home Secretary has announced that he is unable to forecast what the extent of the dislocation is likely to be. I believe that he added that in his opinion it was even conceivable that the consumer might in the long run gain by the change, but how that most extraordinary conclusion was arrived at he did not, I think, condescend to explain. But, my Lords, let us assume that there is going to be only a slight rise in the price of coal, and that the embarrassment is, as the Departmental Committee pointed out, likely to be only temporary embarrassment. What a moment to select for occasioning such a temporary embarrassment to the industries of this country, a moment when the gaunt army of unemployed is constantly parading in our streets, when you are devising special measures for the relief of the sufferers by unemployment, a moment when all the evidence that comes to us from no matter what quarter shows that a great part of the business of this country is carried on, at an extraordinarily small margin of profit, a margin of profit the disappearance of which might mean something very like a general calamity.

I was struck, in the debate that took place last night on the Port of London Bill, by an observation which fell from my noble friend Lord Leith of Fyvie. He was considering the effect of the new dues to be levied upon goods entering the Port of London, and he said that 1d. on the ton might have the effect of diverting trade, which now comes to the Port of London, to some other port. Does not that show how grave the risk is of doing anything which may encroach upon that extremely narrow margin upon which our men of business are now trading? As my noble friend Lord Newton pointed out, there is scarcely any industry which might not suffer heavily by a change of the kind. There is, however, another consumer, I do not know whether he referred to him, but he is at any rate a consumer whom we should not leave out of our calculations; I mean the private consumer of coal, and particularly the poorer class of those who consume coal.

We used to be taunted in our recent debates upon the Licensing Bill with our solicitude for the poorer sufferers from legislation which threatened brewery shares and debentures. I hope we shall not be taunted if we remind His Majesty's Government that in this case there are very humble people who buy their coal, not by the ton but almost, you might say, by the pound, and to whom a rise in the price of coal might spell misery during the cold of winter. It can scarcely be denied that His Majesty's Government are asking us to take a very heavy risk. They are asking us to run that risk for the sake of a body of men who are personally not a very numerous body, and for whom this thing is to be done at the expense of the whole community of these islands. I ask myself what has been said on the part of the friends of this Bill which can be held to justify us in facing all these risks. Let me, in the first place, say that I am not very much moved by the argument founded by the noble Lord who spoke last upon the practice of foreign countries. I doubt extremely whether, if the legislation of other countries was to be closely examined, you would find that it corresponded in all particulars with the legislation which we are intended to pass. But, besides that, pray do not let us forget that these are countries which freely protect their products and which, because they protect the products of labour, need have no great scruple in protecting labour itself. I therefore put on one side any argument based upon the practice of foreign countries.

To my mind, there is only one argument or only one set of arguments which we can seriously consider as justifying the acceptance of the Government Bill. I mean the arguments which go to show that our apprehensions as to a rise in price are greatly exaggerated, and that there is really no cause for fearing a reduction in the output of coal and a consequent rise of the price. How is that part of the argument put to us? It is suggested that in respect of the limit imposed by this Bill the hours of labour will not, upon the whole, be materially reduced; that there will be some kind of adjustment under which the hours taken off one day's labour may be added to another day, or again it is suggested, and that argument was put with great earnestness by the noble Lord who spoke last, that a shorter day's work very often means more strenuous exertion on the part of the worker, and that we may hope that in the shorter day's work which would henceforth be done in the coal-mines, an equal, or perhaps a greater output of coal will take place. Then there is the argument founded upon the prospect of the adoption of labour-saving machinery. I am certainly not going to dismiss these arguments with contempt. I feel sure that His Majesty's Government before they used them, must really have satisfied themselves that they were entitled to weight, but I cannot profess that I am entirely convinced by them. My impression is that what the coal-miners intend is that they shall receive the same wages, or perhaps even higher wages, for less work than they do at present. That is admitted by their own spokesman, and it does not seem to me that we can disregard the admission. Therefore, as I ventured to say just now, I am by no means reassured, and I consequently have to ask myself whether I shall allow the pessimist view which I take myself to guide my own action or whether I shall, on the contrary, allow myself to be persuaded by the much more optimist view held by noble Lords on the other side of the House.

I ask your Lordships' leave to mention very briefly two or three reasons which have induced me to accept the latter view. In the first place, I think it has been said with great truth that this is not a new question. It has been constantly before Parliament for a great many years past. The noble Lord who spoke just now was quite justified in reminding us that an Eight Hours Bill was passed by very large majorities in 1893 and 1894. An Eight Hours Bill was passed by a small majority in the days of the late Government, and, as he pointed out, in 1906 and 1907, an Eight Hours Bill was passed unanimously by the House of Commons. Now, my Lords, that being so, is it at all likely that this demand for an eight-hours day is going to be dropped? I do not believe it. I believe, on the contrary, that if your Lordships were to reject this Bill you would really whet the appetite for this demand. I believe it would be renewed again and again, and your Lordships' House would find yourselves in the position of denying a measure of relief constantly pressed upon Parliament by the coal-miners of this country. What would be the effect of a prolonged struggle of that kind? Would it not be to bring about an indefinite period of suspense and unrest? I cannot help believing that, considering the history of this question, it is better that it should be disposed of and that it should not remain in suspense, a subject of acrimonious discussion in each successive session of Parliament. I feel that the more strongly because I should be sorry to see this House pinning itself to the obstinate refusal of a measure which can, and we must admit it, be represented as one which upon humanitarian grounds alone, and not upon economic grounds, is a measure worthy of your favourable consideration. To those two arguments I add a third, namely, that we are told by His Majesty's Government, with all the responsibility which they must feel in connection with this subject, that they have satisfied themselves that this Bill is not likely to produce the serious results which some of us apprehend. We take note of those statements, and if some of us allow ourselves to be persuaded in spite of all our doubts, we do so because we feel that His Majesty's Government are ready to assume this responsibility, and to advise Parliament upon the strength of it.

In these circumstances, I for one cannot vote against the Second Reading of this Bill. I earnestly hope that the misgivings which I have expressed may turn out to be without foundation. Nobody will be better pleased than I shall if hereafter we are able to admit that we were in the wrong and that you were in the right. But, my Lords, I wish to add that if I am prepared to vote for the Second Reading of this Bill, I do so in view of the possibility of making some alterations, and important alterations in it in the Committee stage. This is not the proper moment for passing the details of the Bill in review, but I will indicate two points upon which I think your Lordships, should the Bill read be a second time, would do well to consider whether Amendments are not necessary. In the first place, the Bill seems to me to be open to objection on the ground of the inequality of its operation. We are told that there are some collieries in which the passing of the Bill would make no alteration at all in the hours spent by the men below ground, that there are other collieries again where the Bill would make a difference of one or one and a half or even two hours in the day's work. Is it not possible to do something to meet cases of that kind? I am the more inclined to press that upon His Majesty's Government because I see that they have introduced in the Bill a clause, I think it is the fourth clause, in which very considerable dispensing powers are given to the Secretary of State, and there is another clause towards the end of the Bill dealing specially with the collieries of Durham and Northumberland. That is one point.

The other point, and it is the only point to which I wish to refer, is this. The Bill, as it now stands, contains provisions under which, during the first five years both windings are to be excluded from the calculation of the number of hours work done by the men, but after five years one winding is to be excluded and the other included. With all submission, it seems to me that it is bad enough to bring about one serious dislocation of industry by a Bill of this kind without providing for a second dislocation five years hence when the five years term comes to an end. Surely, in common prudence, we can leave it to those who are coming after us to decide, be it five years hence or ten years hence, whether further modifications of the law are necessary. In support of that, I wish to cite a precedent which will perhaps appeal to those noble Lords who ask us to rely upon the example of foreign countries. The French Government adopted legislation of this kind not very long ago, and passed a Bill providing for a kind of graduated arrangement such as that which His Majesty's Government contemplated. What was the experience of the French Government? Before the Bill had been two years in operation, they found that they had completely miscalculated their case. Here is the description of what happened. I am quoting from the Home Secretary—

> "The French had already got what was called an eight hours law; the French, who considered this question practically, included in their Act such provisions as they thought necessary, and also limited its scope to what they thought would be safe, having regard to all the circumstances of the case. But now, two years later, they found that an Amendment of the Act was necessary. They found the greatest difficulty in enforcing the Act; in many respects it had failed and could not be enforced, and they were now engaged in drafting a new Bill."

I say let us learn wisdom from our neighbours and let us leave these further adjustments, which may or may not be necessary, to the judgment of those who will succeed us and who will have the experience of a certain number of years to guide them. That is the proposal which I think is likely to be made in Committee, and which, as at present advised, seems to me to be entirely worthy of adoption.

My Lords, I apologise for having detained your Lordships so long, but I desired to explain to your Lordships why it is that in spite of the serious misgivings with which I regard this legislation, I for one will not take upon myself the duty of standing in the way of the passing of this Bill.

*Lord KNARESBOROUGH: My Lords, I have listened with the greatest admiration to the speech of the noble Marquess, but I am afraid nevertheless that I must persist in my intention to oppose this Bill for two reasons, first, that I am absolutely convinced that it must lead to a rise in the price of coal, and, secondly, because I am equally convinced that the industries of this country cannot, at the present moment, afford to pay any increase of price. You have had a great deal of information before you as to the reasons why there should be an increase in the price of coal, reasons drawn from the Report of the Committee, and from other sources, but now I propose to give you some special figures drawn from the accounts of one particular colliery which will show you what will be the results in that colliery if this Bill becomes law. The colliery is a very large one, producing 630,000 tons of coal a year, employing 2,250 men, and paying £190,000 a year in wages. To begin with, I may point out to your Lordships that the men have already, without any assistance from Parliament, contrived to raise their wages by an amount of 55 per cent. in the last twenty years. The wages, which are now fixed by a Conciliation Board, are at the present moment 55 per cent. above the standard, the standard being the rate of wage that was paid in 1888. The men do no more work than they did twenty years ago—I am speaking of the below-ground men—they do exactly what they did before, but the colliery owners have to pay £155 in wages for the same amount of work that they paid £100 for twenty years ago. Now let us see what effect this Bill would have upon this particular colliery. For the first five years it is allowed by the Bill that two windings shall be excluded from the eight hours. I propose to confine my remarks only to those first five years. After that, of course, the conditions would be worse for the colliery. I am afraid I must inflict a few rather dry figures and facts upon you, but I will be very brief, and I do not see how I can carry my argument through without giving them to you. This is how the colliery works. At the present time the coal getters descend between 5 and 6 a.m. and ascend between 2 and 3 p.m., and the average time underground is about eight hours forty-five minutes. Although the coal getters commence to come out at 2 p.m. the men and boys who bring the coal from the face to the shaft do not come out until 4 p.m. Coal winding commences at 6 a.m. and ceases at 4 p.m., and coal is wound continuously during this period with the exception of twenty minutes at 2 o'clock when the main number of coal workers ascend. The coal winding hours are, therefore, nine hours and forty minutes. Under the Bill the haulage men and boys will have to come out at 2 o'clock, and consequently the pit will cease winding coal at 2 o'clock, making a proportionate reduction in the output as nine and two-thirds is to eight.

I am not sure whether I have made myself quite clear, but I think this illustration will perhaps make it more so. The coal is coming continuously out of the pit. It is just as if water were running continuously through a pipe out of a reservoir. Suppose this water is running for nine hours forty minutes continuously you would get a certain number of gallons; if the coal is coming for nine hours forty minutes out of the pit you will get a certain number of tons. If the time that the water is running is reduced from nine hours forty minutes to eight hours you will reduce the number of gallons you get in the proportion of nine and two-thirds to eight; exactly in the same way if you reduce the time during which the coal is flowing out of the pit from nine hours forty minutes to eight hours, you must reduce your number of tons obtained in the proportion of nine and two-thirds to eight. The output is practically 2,300 a day and would, therefore, be reduced to about 1,900. The colliery is working at its full capacity and no more coal can be wound per hour than is the case at present. If, therefore, the amount of wages received by the men remains the same the cost of wages must be calculated on 1,900 tons instead of 2,300. It is practically 6s. per ton at the present time, and would, therefore, be 7s. 3d. or an increase of 1s. 3d. per ton. There would also be a proportionate increase in stores, timber, horse-feed and general charges which would not be less than 2d. a ton, making a total increase of 1s. 5d. a ton. That is what we calculate would be the actual increase in the cost of working this particular colliery. Of course, if the wages of the coal-getters were still paid in proportion to the work done, and the wages of the road-men and surface men were reduced 20 per cent. to correspond with the reduction in their hours, the wages would come down also in the proportion of 2,300 to 1,900; the only increased expense would be the 2d. a ton which I have just mentioned. But will the men consent to this reduction in wages?

Now let us see how it would work. If the limitation of hours would only admit of 1,900 tons being drawn where previously 2,300 were being drawn, the production of each man must be reduced in consequence, because the whole of the coal has to come out of the shaft within eight hours. It is no use the man working harder if it were possible for him to do so, because no more coal can be got out of the roads and shafts. The collier is paid by the piece, that is, in proportion to the amount of coal he hews, and out of these earnings he has to pay his trammer, the man who hauls his coal to the haulage road. At the present moment a collier and his trammer average 16s. a day, out of which we will assume that the collier pays the trammer 7s., leaving for himself 9s.; under the new arrangement the man's earnings would be about 13s. 3d. a day, and, if he still paid his trammer 7s., his wages would be reduced to 6s. 3d. as compared with the 9s. a day previously. No doubt the trammer would still demand his 7s. a day and consequently the collier would at once apply for an increase in his wages to make up for the loss which the Bill imposes upon him. The loss of the colliery at 1s. 5d. per ton on the decreased output of 520,400 would amount to £36,800. The colliery would be working at a loss and unless the price rose considerably would have to stop.

Then we are told that the colliery might work with two shifts. If this were possible, the output of 2,300 tons per day would probably be maintained, but to do so we should have to provide an additional shift of haulage men and boys on the roads and additional shifts of screeners and surface men, making a total increase of 8d. per ton on account of two sets of men doing the work previously done by one. This increased cost of 8d. calculated on the 630,000 tons now produced would amount to £21,000. But there are two difficulties in the way. To begin with, the men dislike the second shift. Secondly, would it be possible to obtain the extra men? At this colliery alone, 373 additional hands would be wanted, and as many collieries in the district would have to do the same, it is extremely doubtful if a sufficient supply of suitable men could be found, at any rate by 1st July next. In either of these cases, whether of a single shift or a double shift the colliery I have been mentioning would in average years be carried on at a loss unless the price of coal rose considerably. There are many other collieries in a worse position which could not possibly be carried on unless there was a considerable rise in the price of coal. The country cannot get on without the coal, so I think it is evident that a considerable rise of price is inevitable.

Now we come to a most important question. What would the rise in the price of coal be? We have been dealing so far with the increase in the cost of production. That is a comparatively easy matter, but when we come to the question of what the rise would be in consequence of the restriction of the output, of a scarcity of coal, then we pass out of the region of fact into the reason of conjecture. No one in the world knows what the rise of price might be; we can only guess. The only thing certain is that we are going to run an enormous risk, we are going to take a leap in the dark, we are going to imperil the most vital interests of the country, without any certain knowledge or any admitted justification. The people who use coal cannot do without it; the householder and the manufacturer must have it, and with revival in trade and a restriction of the output it is impossible for anyone even to guess what the rise might be—2s., 3s., 5s. or much worse—anything is possible. Noble Lords laugh at 5s., but it might be a very great deal more than that. Of course, as one industry after another was stifled and had to stop, the demand would fall off and prices might fall; but in the meantime irreparable mischief might have been done Trade might have been diverted into other channels and a great deal of it might never be recovered by this country. And here it may be pointed out that to avoid the shortage in the supply it is not sufficient that the present output should be maintained. The consumption of coal has increased enormously year by year over a period of years, is still increasing, and except for temporary periods of depression it must go on increasing with the growth of the population and as the industries of this country expand. The world outside England is also hungry for coal, and the export of it is continually rising. If the effect of the Bill was merely to restrict the output of coal to the present production, that would be quite sufficient to produce a great shortage in the supply, with the most disastrous effects to many of our leading industries. Now, why is a cheap and plentiful supply of coal vital to the prosperity of this country and to the employment of the people? To realise this we must look at the position of England as compared with some other countries. England is in a different position from that of any other country in the world. Some countries are in a position of stable equilibrium like pyramids firmly fixed on their base; England is, unfortunately, in a state of unstable equilibrium like a pyramid based on its apex. Take the United States of America; there is an eminently stable country. They have enormous tracts of fertile land; they have forests and rivers and lakes, and immense products of iron, coal, and all other minerals, including gold and silver, but perhaps excluding tin. They can produce in the way of agriculture anything that we can in this country, while in the South they can grow cotton and tobacco and all semi-tropical products in almost inexhaustible quantities. Whatever happens to a country like that, the present inhabitants will be able for many years to come to earn a livelihood somehow or other. They are in a position of stable equilibrium; the more you shake them, the firmer they would settle down on their base, and the same is true in varying degrees of most of the other countries in the world. England stands alone in the insecurity of its position.

Look at the circumstances of the case. Here we have 44,000,000 of people gathered together in these small islands. There is little land, and these 44,000,000 could not possibly subsist on what is produced at home. The materials for food and raiment are sent to them from all the countries in the world. And how are they paid for? They are paid for mainly by the profits of our manufacturing industries and of the ships which carry these manufactured goods to the ends of the world and bring back our supplies of food and raw material in exchange. And what an extraordinary business it is! We import cotton from America or Egypt or India; make it into cloth and sell it in China at a profit. We bring ore from Spain, convert it into steel, steel into machinery, and send the machinery to India, South Africa and all over the world. We bring tin from the Straits Settlements, we coat sheets of iron with it and send it out in the form of tin plates in every direction. If you looked through the earth to Australia and fixed your eyes upon an Australian farmer, what would you see? Well, you would first see the soles of his boots, because as you know people have a habit of walking with their heads downwards in those parts. Yet these soles would very likely be made from hides which were taken from Australian cattle, the hides having been sent to this country and returned in the shape of boots. His stockings and his tweed suit would probably be made of Australian wool sent to this country and manufactured in Yorkshire or Scotland. If he had a cotton pocket handkerchief it would probably be made from cotton brought here from America and manufactured in Lancashire. If he had a silk tie the raw silk would very likely have come from China and been manufactured at Derby. If he had a gold pin in that tie, it might be made from gold brought from Australia and manufactured at Birmingham, while if he had a felt hat it would very likely be made from the hair taken from Australian rabbits and manufactured in this country. And why are people willing to buy our products in preference to those of other countries which are competing with us? It may be said that the Australian buys English things because they suit his taste; but how about our enormous trade with India, China, and the East generally, and all the other parts of the world? They do not buy because of any preference for, or love of England, but simply for the reason that we give them, or they think that we give them, better value for their money, and good value for money is being more and more identified with cheapness. I believe it is universally admitted that in these days cheapness is much more effective in selling goods than the old-fashioned qualities of durability and excellence; therefore, we cannot trust to the excellence of our goods to sell them if the price rises considerably in comparison with that of our competitors. And what is it that has enabled us so far to give such excellent value for the money—to give good quality and cheapness at the same time? I believe it has been due chiefly to our having the enormous advantage of cheap and plentiful coal. We have had advantages in other ways, but I believe the advantage of cheap coal far outweighs all the others put together. If anyone doubts this let him go to the coalfields and see how all the manufactories are gathered together there. You would think that some of them, like cotton mills, which mainly import their raw materials and export their products, would go nearer to the sea, and to places where they could get cheaper land, lower rates and other advantages; but no. They are obliged to go to the coalfields because the advantage of cheap coal far outweighs all other considerations. The competition is getting keener every day and is springing up in new and hitherto unexpected directions. I will give you two instances that have come under my own observation. One was in a contract for machinery for a distant part of the world. An English firm got it but they were very close run by a firm in Switzerland. Now a few years ago the idea of Switzerland competing with English machinery would have been thought ridiculous, but as the English tender was cut very close, a very small increase in the cost of coal would have given the contract to Switzerland. Again, in the rail trade, I remember the time when we used to send large quantities of rails to Russia; now Russia is one of the countries which is competing most keenly and successfully for the supply of rails in the open markets of the world. A very moderate increase in the price of coal, and the chance of England supplying rails to foreign countries would be absolutely hopeless. The cheaper the coal of England the better for the prosperity of England. Of course, no one grudges the miners reasonable wages nor reasonable hours of work, but we must face the fact that every shilling added to the price of coal is a misfortune to this country and a burden to its industries.

My Lords, in conclusion, I will sum up in the following way. Supposing anyone of you were addressing a meeting of working men who were not miners and one of them were to stand up and say: "You voted for the Eight-Hours Bill; why did you do it? You know that the miners have already enormous advantages over us. They can easily earn 48s. a week; many of us cannot earn half of that. They get coal for their own use free, or at an extremely low price; we have to pay a high price for all we use. Their employment is much more certain and permanent than ours. They can easily get employment at good wages for their boys; we have the greatest difficulty in finding employment for ours. Their health is as good as ours, and they can without difficulty lay by a comfortable provision for old age, which many of us are quite unable to do, however much we may wish it. There are many more of us than there are of them, and we look upon them as exceptionally lucky, and yet you have not hesitated to imperil our livelihood for the sake of increasing the pay or lessening the work of those who are already far more fortunate than ourselves. We know that cheap coal is absolutely necessary to enable the industries in which we are engaged to live. Industries cannot be carried on at a loss either by private individuals or by companies, or they soon end in the Bankruptcy Court. No one in the world can say what will be the effect of this Bill in the way of raising the price of coal,

but there is a great and unknown risk. You are risking misfortune and unemployment for us; will you kindly tell us what is your justification for doing so?" It is because I feel that there is no satisfactory answer, that there can be no satisfactory answer, that I feel bound to oppose this Bill.

*THE EARL OF CRAWFORD: My Lords, it is perfectly true, as has been said by most of the noble Lords who have spoken, that this matter has been before Parliament for many years. I remember the Bill since the year 1889, but there were talks of such a measure when I first entered the House of Commons in the year 1874. Though it had not crystallised into such a position as to be called a Bill, yet the matter was under debate among the men, and certain leaders on the masters' side held that if you wanted good trade you must put up prices. Experience has shown that they were wrong from the beginning and wrong to the end. This Bill has been before the House many years, since, as I said, 1889, and it has been through various stages of ups and downs in the House of Commons. It has been well received one year and had a Second Reading, and it has been thrown out in another year; but from first to last the Bill has had the uncompromising opposition of the members of the coal trade. When I say the members of the coal trade I am speaking not only of what I call the masters but also of a very large body of the miners themselves. The whole of Northumberland and Durham were dead against the Bill, and the Forest of Dean, a smaller district I grant you, were against the Bill. The masters in their protests were alone and there was nobody in the House of Commons in those days to speak specially for the Northumberland and Durham men. Not only were the masters alone, but the general public in this country never spoke a word in their favour. They allowed the thing to go; they said: "This matter is a question for you to settle with your men; it is not for us to interfere." They would not think about it; they have thrown the thing on one side. If that has been going on from the year 1889, nineteen years, is it wondersome, is it curious, that some of those gentlemen who used to oppose it have from want of outside support weakened, that they have felt want of confidence in what they have been doing? I think it is not wonderful. Indeed, I was one myself. I weakened, I regret to say, and I stand before you now in shame for having done so. But what is it that has restored my confidence; what is it that has restored me my self-respect? I have to thank the action of the noble Lords on the front bench, the action of Government themselves, for having restored to me my self-respect. That requires explanation. The Government introduced their Bill into the House this year, and very soon afterwards a large section of the House of Commons, the Labour Members and the trade union Members and the Socialist Members, got into correspondence naturally with the Government and they were fortunate in having to deal with the Home Secretary. They made the discovery that if they wanted anything they only had to ask for it in a certain tone of voice and they got it. Flushed by their discovery, feeling surprised and delighted by their victories, some of these Members of the House of Commons spoke out freely and allowed their hearers to learn what were their real thoughts, what were their real wishes, and what their intentions were, and those intentions were practically: "At any cost let the price of coal be forced to the front in order that we may have better wages." But what effect has this on the general public who, for eighteen years had sat silent, never helping the owners? They listened; they began to make inquiry: "What do these words mean?" and they looked into the question. But still they sat silent. Until when? Only a short six weeks ago. It was not until six weeks ago that there was any agitation running through the country as to what this Bill really meant, and now they are speaking out.

But I want to look at thequestion not as a coal owner, not as one of the public even, but as an outsider looking at it from apart, as to what the real effect of the Bill will be, and I believe, so far as I have been able to gather this evening, from a point of view which has not been yet examined. What will be the ultimate effect of certain action which may be brought about by His Majesty's Government? What is the Bill going to do, what is the object of the Bill? The object of the Bill, I take it, is to raise the price of coal. I think there is no doubt that that must be so. I acknowledge, as the noble Earl who introduced the measure said, that there would be a danger of a temporary rise in price, but I do not feel quite confident that it would only be temporary, according to my experience of colliery working. What it does do is to make an artificial production of one single condition of a time of great commercial prosperity—one single condition of it—that is fuel at a high price. But of what does commercial prosperity consist other than fuel at a high price? The component parts of commercial prosperity must be taken as supply, demand, and I may add, confidence. Commercial prosperity, if you analyse it, means practically this: a person, A, here has something to sell, B here buys it; then the matter changes over. B having bought it, manufactures something from it, and has to find somebody else, C, who buys that, and so on, from one end to the other constantly repeated. The summation of each of these small single deals forms the volume of trade, and provided a margin of profit is left on each sale to the man who buys to re-sell, the volume of trade is prosperous. What does the Bill do? Undoubtedly it raises prices; there is not the slightest doubt about it. Why? Because owing to its action on the whole output of the country there will be a shortage of some 20,000,000 tons. The noble Lord smiles, but I still maintain my opinion. What is this shortage? It is true that coal has not been produced, but it is brought about in an artificial way. Prosperity requires demand and supply and confidence, but all must be genuine, and one or any of them being artificial it is not prosperity, and the thing is reduced to speculation or gamble. This raising of price is not a genuine, but an artificial one, because time is being taken away from a man who is able to work.

Now with regard to the question of demand. Again I say the Bill will inevitably create a demand for a time. But, again, this demand will not be genuine; it will be a demand created by panic. What does panic mean? It means that a person who has the absolute necessity to possess a certain article finds another person alongside of him, who wishes to possess that article, which is not enough for two, therefore they compete against each other, and the price goes up. I remember the strike that took place in the year 1872. There was one piece of coal not so big as my fist that was wanted by a hundred people, and the price jumped up to 60s. a ton in London right straight away. The period of those highly inflated and artificial prices went on not for a long time, but it was ruinous to the trade for ten to fifteen years afterwards. If trade were now advancing, in the classic term, by leaps and bounds, this difficulty of the rise in the price of coal of 1s. or 2s. temporarily, mind you, would not be a very serious matter. I do not say for a moment that the price is going up to 60s. and to remain there, because that is a panic price, but when things level down again it will certainly be 2s. more, at least, than it is now. I should have said that before. Trade is not rising by leaps and bounds; on the contrary, it is on the down-grade, the brakes are on, the wheels are skidding, and in all probability there is a chance of a dangerous sideslip at the corner at the foot of the hill.

The last condition that I spoke of independent of supply and demand is confidence. What do I mean by confidence? I mean that in the case of a manufacturer looking forward to the future, if he sees that the conditions of trade are such as will warrant him in laying out money for the extension of his works, and increasing his power of supply, he will do it, and fresh capital will come in, with the general result that the power of output is maintained to supply the consumption of coal, and commercial prosperity is increased throughout the country. But will this Bill produce confidence? No, certainly not. What are we told in the City of London among the bankers? There was never more money actually here lying waiting for investment than there is at the present time, but people are afraid to invest in home securities. The result is that month by month hundreds of thousands of pounds have left this country and have been invested in foreign securities, preferable to any that we can offer here. What is the cause of that? It results from a distrust of the present Government and from a distrust of such measures as may be brought before the country, and because people never know what the future is going to bring forth. The Bill produces, as I say, two artificial conditions for commercial prosperity, demand and supply, and an absolute failure with regard to the third condition, confidence.

I will not detain your Lordships longer as the hour is getting late, but I was mentioning a few minutes ago that the general public had heard these words let slip by some of the Labour Party implying what their real desires and hopes were, and whether my noble friend who moved the rejection of the Bill had anything to do with it or not, I know not; nevertheless within the last few weeks, and even within the last few days, I have personally, and no doubt all your Lordships have, received protests against the Bill from the shipping world, from the shipbuilders, from the Iron and Steel Institutes, from the cotton trade, from the gas trade, from the railway companies, and from chambers of commerce. All these requests which have been sent to your Lordships' House have not been isolated petitions bearing the signature of a private business man, but they have come from the representative organs of their own body, that is their institutes, and one single signature therefore, would represent the millions of pounds involved in each one of the trades that I have spoken of. Hundreds of millions of capital are represented in the requests that have been sent to your Lordships to throw out this Bill and if we take that action the House will not be unsupported. Are we to allow a Bill of this kind, which is to cause true damage to trade and misery to many in this country by what must come to pass? Are the coal owners in this country the only ones who are able to supply coal? Is not Germany ready and willing to load her ships and send them over with coal to our coasts? Has not America sent over iron and steel and undersold me in our home markets? Of course she has. At first the beginning will be a vast increase in the price of coal. The next will be a shortage because the colliers do not work as long and as regularly as many noble Lords seem to think they do. They are not like bank clerks; they are not put to work and told that they must work for a certain number of hours and turn out a definite amount. The miner works as long as he likes, and he seldom works two days running, if he is weary. I do not say a word against the miner personally, because I consider the miners are the finest set of men in the world. Many of them are intimate friends of mine, and I have lived with and loved them.

The responsibility for the Bill is upon their leaders. Miners are the most loyal set of men you could possibly conceive, and they will do exactly as their leaders tell them. Even although they may not be acting as their hearts would desire, yet they will stick to their leaders although they feel they are going to make a mistake. I cannot help feeling that to pass this Bill would be a lamentable thing for the country. The various trades cannot afford to pay the price that will be asked for coal. Traders will by degrees say: "We cannot manufacture when we have this high price of coal against us; we shall have to close our works." Not only that, but all old coal pits—I speak of pits fifty or sixty years old—if they have thin seams will be done away with, and the men who have been employed in those mines cannot be transferred to other places, so that there will be greater and more serious unemployment than there ever has been before, and the unemployed will not come from the miners only; they will come from all the other trades as well. The railways cannot afford the extra 2s. a ton; the cotton trade cannot afford it. The cotton trade fought the other day over a very small point, and that fight lasted a terribly long period. With all the respect that I bear to my noble leader I wish he had been here and would have got up and said that he had changed his mind and that he could not pass a Bill which legalises a gigantic corner in labour.

*THE EARL OF PLYMOUTH: My Lords, I only want to occupy the time of the House for a very short period in order to express my views rather as relating to a particular part of the coalfields in this country, namely, in South Wales. But let me say at the outset that I do not wish to argue against the whole principle of this Bill. I share the doubts that have been expressed by the noble Marquess, whom I nearly always follow, both as to the wisdom and as to the necessity for this Eight Hours Bill for miners. I do not wish to take up the time of the House in arguing that general question of principle, because I accept his conclusions, and in spite of feeling those very grave doubts as to the result of this Bill, I am prepared to follow him in not giving my vote against the Second Reading. Therefore, all the arguments I use will be rather in favour of the relaxation of any rigid application of this Eight Hours Bill.

In the first place, I entirely agree with what the noble Marquess behind me said, that it is of the utmost importance that some alteration should be made in the Bill in order that there should be no inclusion in it even after five years of one of the windings. I think this is most important both on the ground of safety and on the ground of the inequality in the way that it would work in different collieries. I believe the whole of the Miners' Associations of Great Britain have unanimously agreed that the question of safety is one which ought not to be lost sight of in this respect. It is only human nature that if it is in the interest of the colliery proprietors to get their men up and down in the shortest possible space of time, however careful they may intend to be there will be a tendency to increase the dangers of winding if the windings are included in this eight hours. I earnestly hope that His Majesty's Government will agree to an Amendment that was foreshadowed by the noble Marquess behind me that even after five years they should retain the exclusion of the two windings.

Then one word as to the inequality in the way in which this would work in different collieries. The Departmental Committee showed in their Report that the difference between the distance from the bottom of the pit to the face varied from four yards to four miles. That is in their Report. That shows clearly that in the case of a new pit and new sinkings the operation of the Eight Hours Bill will be very very slight compared with what it must be where men have two, three, or even four miles to walk from the bottom to the face. I want to say one word upon the suggestion that I think the noble Lord opposite, Lord St. David's made, that the workmen in shorter hours would bring up the same amount of coal as they do in their present longer hours. I wish to point out that it really is not a question of what the coal-getters, the hewers, themselves can do. The getting of coal out of a colliery is a complicated affair requiring a great organisation. The coal-getters may, if they please, cut as much coal in eight hours as they did in nine or nine and a half before, but that is not the whole of the question, because that coal has got to be cleared, it has to be got to the pit's mouth, and it will be quite impossible in many instances to clear the same amount of coal in the shorter number of hours that will be available for winding up the coal.

I venture to indicate two other points where certainly I should like to see an Amendment in this Bill. One is in regard to the time of the Bill coming into operation. In the case of South Wales the agreements with the men are made by a Conciliation Board. The agreements are very carefully considered by representatives of the masters and of the men, and the agreement that is now running runs till 31st December, 1909. Therefore, so far as South Wales is concerned, it would be a very great disadvantage to them if the Bill came into operation six months before the agreements naturally come to an end. I think the Government admit that it is of extreme importance that sufficient time should be given so that new agreements to suit the altered circumstances can be arrived at between the colliery proprietors and the workers. They have recognised that in the case of Northumberland and Durham by allowing six months increase of time, and I venture to think that we shall press very strongly for that extra six months being given to the other coalfields in Great Britain.

Then, my Lords, there is one other point which I should like to see made the subject of an Amendment: that is the penalty clause. In the Bill as it stands there is in Clause 6 a provision that the owner, agent or manager of the mine shall not be guilty of an offence if he proves that he has taken all reasonable means by making public and to the best of his power enforcing regulations for securing compliance with the provisions of the Act. I should like to ask what the Government really mean by "to the best of his power enforcing" the regulations, because it is quite clear that colliery proprietors cannot possibly see that every man is turned out of his workings at the end of the eight hours, and force him to go up to the surface. It seems to me, therefore, that at least those words should be made clear, and that the Government should say what they mean by the management having to enforce these regulations, or that they should cut those words altogether. My Lords, I believe that there are many much greater difficulties in the way of a rigid enforcement of an Eight Hours Bill in all mines than the Government seem to think. Probably they will be found only after the Bill has been some little time in operation. I sincerely hope that they will do nothing to tie the hands of any future Parliament certainly after the five years time-limit, but will rather relax the rigidity of the provisions in the Bill in order to enable some future Government to amend it in such a way that it will meet the requirements that have been proved to be necessary. I wished merely to indicate these three points, upon which certainly, speaking for myself, I hope that some Amendment will be made in the Bill. I repeat that I accept the conclusions of the noble Marquess who leads this side of the House, and that I am not prepared to give a vote against the Second Reading of the Bill.

THE MARQUESS OF LONDONDERRY: It has struck me, after listening very closely to the speeches which have been made, and after having followed carefully the course of this debate, that there has been one very strong feature which has appealed to me particularly, and it is that the counties of Durham and Northumberland, which produce one-fifth of the whole coal production of England, has hardly been alluded to. Connected as I am with the county of Durham, and associated as I am with the coal trade, it is perhaps not out of place if I venture, on behalf of the County of Durham Coal Owners' Association, to put their views before your Lordships. Before I do so, however, I should like to say a few words with regard to the principle contained in this Bill—and with regard to that principle I confess, my Lords, that I have no alternative but to offer it my strongest opposition. In the first place, this measure proposes to curtail the freedom of the adult working classes in the coal industry of this country. I say at once that I am not surprised at seeing that principle made a prominent feature of this measure, because the whole policy of His Majesty's Government at the present moment seems to me to be a curtailment of freedom of all sorts and kinds. We have seen this exemplified in the House of Commons, where freedom of debate has been stifled in a manner which I venture to say is absolutely unprecedented. Most of the measures which have been passed through the House of Commons by the present Government have been more or less founded on the principle of the curtailment of the freedom of the people of this country. I think that is a very dangerous principle to embark upon, and the people of this country will surely and certainly resent it. When the time comes to ask the opinion of the country on the question of this constant curtailment of the freedom of debate in the House of Commons, I feel sure that the people will reply in no uncertain tones.

With regard to the measure before us, I think this curtailment of freedom is a matter which should be very carefully considered. To me it seems a very strong order to tell a sturdy adult man, capable of working to the best of his ability, that he shall not be allowed to devote his powers and his strength to doing all he can to earn increased wages in order to put by something for his old age, or to provide his wife and family with those enjoyments which they might have were he allowed to utilise the full vigour of his strength. This is a matter which has never before been taken up by the State. The noble Lord who will probably reply to my remarks will, no doubt, allude to the Railways Regulation Bill. All I have to say with regard to that measure is that it was passed in the interests of the passengers and those connected with travelling by trains. Those regulations recognised that the pointsmen associated with the charge of those trains were perhaps overworked. But what I wish to point out is that that Bill was passed entirely in the interests of the passengers and those who travelled by trains. I may be told also that the Shop Hours Act contains an analogous principle. Again I reply that that principle is not admitted in that Act; although it closed shops at a certain time it did not prevent business going on between the employers and the employees after the shops were closed. Therefore I say that this is the first time we have the State intervening and declaring that it is justified in putting a limit to the hours which an adult man chooses to work.

Having said so much upon that question I now turn to another point. I wish to ask, and I hope I shall receive a reply from the noble Lord who will speak on behalf of the Government, whether it is proposed to extend any further this principle of limiting the work of adults who can work and would like to work, or whether the principle is going to be confined to this Bill. I have read the speeches of various members of His Majesty's Government upon this measure, and it seems to me that they consider this Bill is but a stepping-stone to extending the principle of limiting work to other trades. If that is so, I say that we are entering upon a most dangerous course. If the statement I have made is true as to the intention of the Government, there is no reason at all why this principle should not be extended to all trades and industries, and, going even beyond that, to individuals. If that principle is once admitted, and if we are told, as we have been told by some members of the Government, that this principle is to be extended, then I say in future nothing but chaos and confusion will ensue amongst all our working classes, resulting in the end in a reduction of wages. On these two principles I think this Bill is exceedingly dangerous if it is allowed to pass your Lordships' House in its present form. Then we have heard to-night that this Bill will cause very serious damage to a great number of industries. I have never yet been able to gather how far this Bill is expected to raise the price of coal. I have heard opinions expressed upon this subject, but I do not know that any estimate can be formed with any degree of certainty. There can be no doubt whatever that if this Bill is passed it must increase the price of coal. I doubt if there is any industry which does not depend to a certain extent upon the consumption of coal. Every industry more or less depends upon coal. I have heard it said that the coal industry itself is not in that position, but anyone who has knowledge of the working of coal-pits, knows full well that a great amount of coal is burned in a pit for the purposes of ventilation and other reasons. I should like to know what industry can be named which does not depend to a very great extent upon coal. I have heard several speeches bringing forward the various industries, such as the iron industry, the shipping industry, the gas industry, and other industries which depend more or less upon coal, and what I should like to hear from the Government to-night is how they propose to convince those various industries that they will not be damaged if the price of coal is increased. I do not wish to weary your Lordships by quoting figures at any length, but I am going to ask you to allow me to say upon what a rise in the price of coal very greatly depends. Allusion has been made to the Report of the Departmental Committee, and I am bound to say that I think the Report of that Committee should carry weight with noble Lords opposite. If it is allowed to carry weight with them they cannot possibly ask us to vote for this Bill. After a most careful inquiry that Departmental Committee came to the conclusion that the proposed limitation of working hours must produce a limitation of output. The noble Lord, Lord St. David's, seemed to doubt that finding, but I should like to confront him with the names of the gentlemen who sat on that Committee, and I am sure if he were confronted with their arguments he would not deny my contention. Now what must be the result of that? Such a limitation of output must seriously affect the cost of production. What I wish to bring under your Lordships' notice is that the increase in the price of coal to the consumer need not necessarily be in proportion to the increase of the cost. This is a matter of a somewhat complicated character, but I am going to give to your Lordships trade statistics with regard to the rise in price as it has worked out in the county of Durham. What I wish to draw particular attention to is that a very small percentage in the excess of demand over supply may result in a very large increase in the price. We have had experience of this in the county of Durham. Let me quote to your Lordships a few figures dealing with this question of a rise in the price of coal. In December, 1871, the ascertained net average price of coal produced in the county of Durham was 5s. 2·76d. per ton, but owing to the great demand for coal following that time the price rose to such an extent that in January, 1873, the average net price was 15s. 10·76d. per ton. Then we come for a number of years to a depression in the coal trade, and then to a period when prices advanced very considerably from 1888 to 1890. In the month of January, 1888, the price of coal in the county of Durham was 7s. per ton, and this had risen in February, 1890, to 14s. and 15s. per ton. Then there was a time of augmented demand again from 1899 to 1900, and in April of the former year the price of gas coal reached 8s. 6d. and 9s. per ton, whilst in January, 1900, it went up as high as 18s. and 19s. per ton. This period of inflation was followed by another period of decline, and in 1905 the price was 17s. 10½d. per ton. In 1907 the price fell to 15s. 6d. and 16s. per ton. Although this may not be exactly a relevant case, it may not be out of place if I quote figures showing how all this affected the wages of the men. During the period 1871 to 1873, wages rose 58 per cent.; in 1900 they rose 35 per cent., and in the year 1905 there was a rise in wages of 65 per cent., and in 1907 a 55 per cent. rise. I have quoted those statistics to show what it means to the general public if there is a slight rise in the price of coal.

Various reasons have been put forward as to why this Bill should become law. I have heard several noble Lords put forward the argument that this measure is brought forward in the cause of humanity. My noble friend Lord Newton dealt very fully with that question, and he proved beyond all doubt from the Report of the Committee that this Bill, if it were passed, would not do anything from a humanitarian point of view. But if the humanitarian point of view is the basis of the argument upon which this Bill is brought forward, how can an alteration in the health of the miners be brought about by a reduction of the hours of work to the extent of one or two hours per day. I should be very glad indeed to have an answer to that question. I should have quoted from the Report passages dealing with the health of the miners but for the fact that quotations on this point have already been given by my noble friend behind me. Whoever follows me on behalf of the Government will no doubt have studied that Report, and I should be glad to hear how the Government propose to justify this measure on the ground of health after what has been stated in the Report of the Departmental Committee.

Now I come to the question of safety in mines. I am a large employer of labour myself, and I say honestly that I would give every shilling I have in the world if I thought it would prevent the loss of the life of a single man in my pit. I agree that every precaution must be taken under the Mines Regulation Acts, and every precaution is taken by the Government inspectors who inspect these pits, and very rightly too. But I want to know how the Government propose to justify their claim that the safety of the miners will be safeguarded more than it is now by reducing their hours by one or two. Again, I could quote from the Report of the Departmental Committee on this point passages which bear out my contention. What I say is that the shortening of the hours of labour is not calculated to do anything in the direction of promoting the safety of the men. If the noble Earl opposite is aware of what the Departmental Committee reported on this point it will not be necessary for me to quote it.

EARL BEAUCHAMP: I know the passage.

THE MARQUESS OF LONDONDERRY: I think you are jeopardising the safety of the men by the way in which this Bill deals with the question of the windings. You are encouraging the miners to take advantage of the hours in future; you are encouraging them to hurry or what is called speeding-up, you are also encouraging them to take no notice whatever of the timberings, a matter upon which they ought to be extremely careful, and there are many other points upon which you will be jeopardising the safety of the men if this Bill passes in its present form. I know there are a great number of conscientious, kind-hearted people who sympathise with the men who work more than eight hours a day, and they allude more particularly to those people at work in the mines who are called putters, who work in the mines in the county of Durham and in other collieries. Now I have every sympathy with men who work over eight hours, and the putters practically work ten hours a day, but may I say a word with regard to the experience of the putters in my employment. If the noble Lord opposite asked them, they would tell him that they were perfectly capable of taking care of themselves. They are youths whose ages vary from sixteen to twenty years, and they are more or less apprenticed to the hewers. One noble Lord has already insinuated that agricultural labourers could take the place of these putters in mines, but I should like to see them doing this work in the county of Durham. I am sure they could not do it. The putters are frequently the sons of the hewers, being trained to take their places as hewers, and they are a strong body of men, quite capable of taking care of themselves. When I tell your Lordships that these putters are receiving wages varying from 18s. to 30s a week, I do not think you will say that they are underpaid.

or unable to take care of themselves. I do not blame them, because I think every man should take care of himself. Anybody connected with collieries in the county of Durham will tell you that these putters, if they do not agree with the prices given, will not hesitate to come to those who employ them and inform them that they will leave the pit idle unless they are given a minimum wage of 5s. a day. Are those the men who ought to be bullied by a measure of this kind? I maintain they are not, and I admire them for not allowing themselves to be bullied. The County of Durham Miners' Association is probably the most highly organised association of any similar body of working men in any part of the country, and I say with pride that they are a most independent body of men. If your Lordships could see some of the county of Durham miners you would readily agree with me when I say that they would not thank anybody who offered them sympathy as being an ill-used race. I heard the noble Earl, Lord Crawford, state with what admiration he had met the miners of Lancashire, but even his admiration was not surpassed by my admiration of the miners of the county of Durham. I know what they are. I have seen them in times of trouble after explosions have taken place in the colliery, and I have seen them display deeds of gallantry not equalled by those who have obtained the Victoria Cross. Colliers never hesitate about risking their own lives in endeavouring to rescue their fellow-men. Therefore I repeat they are perfectly capable of taking care of themselves and want no legislation to enable them to obtain and enjoy those good terms and conditions of labour which have existed so long between the employers of miners and the workmen employed in the coal industry in the county of Durham.

Now I turn from that general principle to the question of how this Bill affects the county of Durham. I confine myself entirely to the county of Durham because I do not entirely agree with my colleagues on this bench in the line they have taken up on this measure. I am speaking to your Lordships merely as an employer of labour, and as one who produces coal in the county of Durham. I wish to point out that the system of the working of coal in the county of Durham is unique, and I hope whoever replies on behalf of the Government will devote a certain amount of his speech to this most important county. In the county of Durham we have a great number of collieries. I have already told your Lordships the amount of coal turned out in Northumberland and Durham, but I cannot help thinking that if this Bill is applied to the deep and old collieries in the county of Durham difficulties must arise which will be exceedingly hard for us to adjust on terms satisfactory to all classes connected with those collieries. There will be a dislocation in the working of those collieries which I do not think any length of time will allow us to readjust, and which certainly cannot be readjusted in the very short time allowed by this Bill. I cannot speak for all of them, but there are a certain number of collieries in the county of Durham producing a large amount of coal under a system of three shifts of hewers and only two shifts of putters. I need hardly tell your Lordships that these hewers are nominally working seven hours per day from bank to bank. As a matter of fact the actual time is only six hours forty minutes, but the putters have to work ten hours a day. Now how has this amicable arrangement been arrived at? It has been arrived at by mutual friendly arrangement between all classes at work in the collieries. Otherwise the system would be absolutely impossible. What will be the result if this Bill passes? I may say that the putters are perfectly happy under the present system of working, because they are getting good wages, as I have already explained, and they are allowed occasionally to do the work of the hewers and are paid by piecework for what they do. Under this Bill you will have to ask the putters to work shorter hours, and if you do that you must pay them lower wages. I do not suppose anyone will controvert that contention. Then you will also have to ask the hewers who are now working six hours and forty minutes per day from bank to bank to work eight hours per day. The number of hewers in the county of Durham is 44,000 and there are 20,000 putters. If you amalgamate those two classes of

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workers you will find that the average works out at a greater length of hours for the whole of them. I do not, however, think that hewers will agree to work longer hours or that the putters will consent to work shorter hours and be content with a lower wage. The result of all this will be that you will dislocate the whole of that trade which, at the present moment, is working exceedingly satisfactorily. It you dislocate this system you will bring into force the night shift, which in the county of Durham is greatly disliked and only exists in a certain number of collieries, where it is exceedingly unpopular; but if you are going to insist upon making the alterations suggested by this Bill you must have three shifts, as a general feature of the working of the coal. You must have the night shift for those men who have not had to undergo it before in order to carry out your three-shift system, and naturally this will bring about general discontent. What is the object of bringing about this dislocation of a working system which has proved most satisfactory in the past and has worked agreeably to both employers and employed?

I will turn for a moment to the Report of the Departmental Committee, which deals especially with the case of the counties of Durham and Northumberland, and there I find they state that—

> "The system of labour at present prevailing in the collieries of Durham and Northumberland is one of unquestionable efficiency, and one to which the employers and the great majority of the workers appear to be very much attached. It is a system which has been gradually evolved by the local necessities of the industry, and under it the division and specialisation of labour are carried to a higher degree of elaboration than in any other district."

The Report further states that matters have been carefully adjusted with a view to obtaining the largest possible production without any waste of time or energy. I hope I shall be told why it is proposed to upset this system which has worked so well. I often ask for answers from the Government but I seldom get any, but I hope I shall get an answer to that question. With regard to the same point I will pass on to another finding of the Committee in which, dealing with the county of Durham, they say—

> "To the solution of this problem we find both the employers and workmen have given much more serious thought than appeared to have been the case in other districts, and notwithstanding the difficulty of substituting for the present varied elastic system one of greater rigidity and uniformity, we are convinced that whether by the institution of three shifts of hewers or a uniform system of hours for all classes or by some other arrangement, the same organising ability and the same co-operation between employers and workers which has evolved the present system would succeed in finding a satisfactory substitute should the necessity arise. All the witnesses are of opinion that this could not be accomplished without some increase in the number of underground workers and some addition to the cost of production."

I wish to know from the Government how they propose to justify the dislocation of a system which has worked so admirably and which is shown to be so efficient by the quotation I have made from the Report of the Committee. I hope the Government will tell us how it is proposed the county of Durham should be dealt with if this Bill passes into law. I know exactly what will happen. We shall have to recast the whole system of working in the county of Durham. I agree to a certain extent that it is quite possible if this revolution takes place in the county of Durham there may be a general strike, and there must be at any rate a considerable amount of turmoil and dissatisfaction in re-arranging a system of working which has proved so successful in the past. Whatever you may say with regard to other counties Durham and Northumberland stand by themselves, and if you are going to take this line it will be far more difficult for the county of Durham to wheel into line than any other county, because it will involve the change of a system which has been in existence for a great many years; and it will be found far more difficult to readjust our system than will be the case in any other collieries in other parts of the country. It is asked why Durham and Northumberland should have extra favours. The answer to that question is very simple; it is because the working of the coal is totally different.

I wish now to say a few words upon the question of windings. I should like to hear clearly explained what it is the Government propose to do with regard to this question. It is a very difficult question, I allow, for the simple reason that it varies so much in different collieries. If I may venture, as a colliery owner, to give advice to noble Lords opposite on this point, I would ask them to remember that there are collieries and collieries, and they are all worked in different ways. The whole question of windings cannot be made absolutely automatic for any one individual colliery, and then on those lines be extended to the whole of the coal trade. The question of the windings varies according to the depth of the pits and the number of men who are going to work them, and this is a question which I hope we shall discuss fully in Committee. I hope the Government will consider this question very carefully, because it is a very difficult and complicated one. I am at a loss to understand the line taken by the Home Secretary on this question, and he certainly attributed his attitude on this subject to the question of safety. As I have already said, I would grudge nothing I possess to save the life or even the unnecessary pressure of a finger of any man in my employ. If this line is going to be taken up with regard to the question of windings what is going to happen? Mr. Gladstone, speaking to a deputation of the Mining Association, said—

> "It would be indeed disastrous if by speeding up machinery or by hurrying the work of timbering in our anxiety to secure the safety of the men, the ratio of accidents should increase through faulty legislation."

No one would disagree with that view, but subsequently in Committee he altered the Bill by substituting five years as the period when both windings were to be excluded, because he said he thought it was desirable in the interests of safety and for economic reasons to have as far as possible no dislocation and disorganisation of the work. I am bound to say that I am at a loss to understand what the Home Secretary means, and I should like to have explained the reasons which led the right hon. Gentleman to make those remarks. The question of windings is outside the number of hours that the men are supposed to be at the face of the coal. We are told also that the reason for this is because it is dangerous. What I should like to hear is why, if it is dangerous now, it will not be equally dangerous in five years time. It seems to me that Mr. Gladstone is living in the hope that in the course of the next five years something will turn up—like Mr. Micawber—to make the windings less dangerous. Now what are the right hon. Gentleman's views with regard to what will turn up? Mr. Gladstone said in the House of Commons—

> "The Committee also think that some of the estimated loss will be recovered by mechanical equipment and by new shafts, and by bringing up cast shafts for ventilation into use for windings."

I do not know if Mr. Gladstone knows anything about the sinking of a shaft or not, but he seems to me to think that the sinking of a shaft is like a keeper digging through the earth to recover a rabbit from a ferret. I know better, and the noble Lord, Viscount St. Aldwyn, knows full well that nine years ago I commenced sinking a shaft in the hope of securing coal. In the hope of securing coal a sum of £10,000 or nearly £1,000 a year has been poured down that shaft, and only in the spring of this year has it been found possible to produce a ton of coal from it. Further than that, I commenced sinking a shaft in another colliery, and the same sum of money was spent when it was found that the water came in and the operations had to be recommenced. What I wish to impress upon your Lordships is that no one knows the amount of capital which has to be sunk on the mere chance of finding coal. If you do things which will stop people expending their money in endeavouring to find coal what will be the result? The coal supply will be shorter and the unemployed will be more, and when the Home Secretary talks in this manner about the sinking of a shaft and expressing the hope that the dangers will be less five years hence, he speaks in absolute ignorance of the danger and the cost of outlay in the sinking of a shaft.

After the remarks I have made, in all probability your Lordships will think that I should vote against this Bill. I am not, however, going to vote against this measure, but I shall not vote for it, for the reasons which have been given so ably by our Leader on this side of the House. I hope some necessary alterations may be made in Committee. As has already been said, the Home Secretary seems very sanguine; he does not take the pessimistic view which I take upon this question. I hope he may be right, and I trust that in Committee we may mitigate some of the evils which I and my friends foresee in this measure. I, however, take my stand on higher ground. I put far beyond my own interests in the coal trade the honour of your Lordships House. I do not hesitate to say that I have always advocated on platforms wherever I have spoken, that your Lordships are the real representatives of the country, and that you represent the opinion and the wishes of the people; and I have done so, because I know your Lordships have never rejected a measure which has been before the country for any length of time. As has already been said to-night, the Eight Hours Bill for Miners has been carried through the House of Commons under Governments of both political parties, and therefore I do not think I am justified in asking your Lordships to reject this measure, because, if I did so, I should be asking you to create a precedent which, to the honour of the House of Lords, at the present moment does not exist. In these circumstances, although I look with the most pessimistic view on the manner in which this Bill will be carried into effect, I shall abstain from voting when the division takes place.

*THE UNDER-SECRETARY OF STATE FOR WAR (Lord LUCAS): The noble Marquess who has just sat down has put to me a great many questions, some of which I hope to be able to answer very shortly. He has suggested that Mr. Herbert Gladstone has had no practical knowledge of coal-mining, but I believe the Home Secretary has a knowledge of that industry dating from his early youth, although not, perhaps, so extensive as that of the noble Marquess who has just spoken. Nevertheless, the Home Secretary's knowledge of coal-mining is quite sufficient to enable him to refrain from putting forward any proposal which is not of itself of a practical character. One point upon which the noble Marquess asked for information was what provision have we made for the circumstances under which the different windings are made in different collieries. If the noble Marquess will refer to subsection (4) of Clause 1 he will find the following provisions—

> "(4) The interval between the times fixed for the commencement and for the completion of the lowering and raising of each shift of workmen to and from the mine shall be such time as may for the time being be approved by the inspector as the time reasonably required for the purpose."

Therefore, we give the inspector power to deal with the special circumstances of each case as it arises. The debate so far has turned very largely on the recommendations of the Committee. The Report of that Committee has been used by both sides in this debate, and both parties have found in it practical material to support their contentions. The Report itself is of a most judicial nature, but I think there is one thing which has been, perhaps, somewhat lost sight of by noble Lords who have quoted the Report for the purpose of opposing this Bill, and that is the fact that the Committee under their terms of reference were asked to consider the immediate effect of the passing into law of an Eight Hours Bill. That, after all, is not the question which is before the House at the present time. There is no question of passing an Eight Hours Bill to come into effect at once, and it will not be in full working order for a period of five years, and that period will only be reached by successive steps. Even when the Act is in full force you cannot say that it will absolutely lay down eight hours as the maximum time, because when the coal trade is far more brisk, it enables, three months in the year, a working day of nine hours, to be worked. Therefore, when noble Lords quote the Report of the Committee to the effect that the adoption of an eight-hours day may produce a sudden rise in the price of coal, they are not considering the effect of the gradual introduction of this change or the effect which this period of five years time, which is allowed, will have upon that operation. Now that is very important from our point of view. Our case rests upon this, that by giving this period of time to the coal trade to adjust itself to the new conditions we hope very largely to be able to overcome the difficulties which may present themselves with regard to the question of production, and five years from now it is only reasonable to suppose the coal trade will have undertaken those necessary measures which will enable them to replace in some other way the loss which may be sustained by the decrease in the actual time worked by miners.

The debate has chiefly turned on the question of the cost of production, which it is alleged by opponents of this Bill is going to be very largely increased. The cost of production will be influenced by two factors. In the first place, there is the question of what increase in the working cost may be produced by this Bill, and secondly, how far the output may be affected by it. The noble Marquess, Lord Lansdowne, said this was not the time at which a measure of this sort should be brought forward, because trade was slack, and the Bill might have a very bad effect. With all deference to that statement, I think there is a great deal to be said in favour of introducing a Bill of this kind at a time when trade is slack. After all, as was said by my noble friend who introduced the Bill, there are 44 per cent. of the collieries of this country which are at the present time not working full time. Therefore, if any decrease of output is produced by the Bill it can readily be automatically met by those collieries which are not now working full time, for they would then be able to work either full time, or a little more than they are doing now in order to meet that decrease. With regard to the cost of coal being affected by a possible restriction of output, a time such as this is at any rate favourable for such a proposal. And now as to the question of the output itself. The noble Marquess, Lord Londonderry, asked me to make special reference to the application of this Bill to the counties of Durham and Northumberland, and he put before your Lordships very clearly the reasons which he alleged prevented the miners of Northumberland and Durham from asking for the Eight Hours Bill, and being practically the only miners in the country who, for many years, stood out against it. As your Lordships are aware, their opposition to this Bill has now ceased, and the representatives of the Northumberland and Durham miners have come into line with the other mining representatives, and the position now is that the miners of the country are unanimous in asking for an eight-hours day.

Lord NEWTON: No.

*Lord LUCAS: At any rate we are assured by the miners' representatives and other people who know that the demand for an eight-hours day is unanimous. How we propose to meet this case is a matter which the noble Marquess asked me to explain, but he will hardly seriously expect me to do that.

The Marquess of LONDONDERRY: But I do.

*Lord LUCAS: It is not for the Government to do that, because we are not dictating to collieries how they shall work. It is for the colliery people themselves to evolve the best method by which they can meet the requirements of this Bill after it has become law. There is one point which I desire to point out which has a very great bearing on the question of output. As the noble Marquess says, you have two shifts of hewers, and one longer shift of ten hours for the putters. Those are the people who will be affected by this Bill. If, as seems probable, it becomes necessary to make two shifts of putters instead of one, what will be the position? On the general question of output we have the evidence of Mr. Hand, who is an expert on this matter, that if the coal produced by the hewers could be cleared away more rapidly than it is at the present time it would be possible to increase the output of coal by 10 per cent.

The Marquess of LONDONDERRY: How is it to be cleared away more rapidly?

*Lord LUCAS: I understand that you have two shifts of hewers working together about fourteen hours. You have also one shift of putters working ten hours, and therefore there are four hours when the hewers are at work during which there are no putters at work. Now if you have two shifts of putters working the same length of time, that will produce a more rapid clearing away of the coal. Mr. Hand, the expert, is of opinion that it is possible to clear away the coal more rapidly, and that will produce a larger output. That is one of the things which has to be considered in dealing with the general question of how far these restrictions will affect the output.

THE EARL OF PLYMOUTH: That applies to Northumberland and Durham ?

*LORD LUCAS: Yes. I am dealing with the question of how far the output is likely to be decreased by a reduction of hours. If a man works shorter hours it is reasonable to suppose that his hourly output will be increased. My noble friend quoted some instances of that. A most striking example was given of one county, where, up to the year 1902, the miners worked twelve hours a day. Then the hours of labour in that county were reduced by two hours per day, and the men worked a ten-hours day. The result of that change was an actual increase of the output per man. The first year, in 1903, there was an actual increase of output per man of 3·9 per cent., and in the following year that increase rose to 6·6 per cent. per man, and this was achieved whilst the men were working two hours less. Many other cases have been quoted, and this result is by no means confined to the coal trade. There was a case quoted in the evidence of the Chief Inspector of Ordnance Factories at Woolwich, who stated as his opinion that by shortening the hours a larger output was obtained. The noble Lord, Lord Newton, questioned the fact whether by reducing hours you would get the men to work more regularly. If the noble Lord examines the figures he will find that absenteeism is the greatest in those places where the men work the longest hours. Absenteeism is greatest in those places where the men are overworked and have to take more time off. Therefore, if you can reduce the amount of absenteeism which produces a considerable loss we may fairly consider that the actual increase of output will be quite equal to the possible decrease caused by the reduction of hours of work. I think we may fairly consider this will be an asset in our favour and something that will assist in keeping up the output, at any rate, to what it is at the present moment.

A great deal has been said in regard to the question of cost, but it is impossible to lay down any hard and fast rule. At the present time a great many mines are working under time, and therefore the question of not being able to meet the demand for coal does not enter into the case at all, and it can only come in when the mines are working their full time when you may have, as I think the Report states, a considerable increase. There are provisions in the Bill for meeting that. The noble Marquess mentioned the case of the poor consumer, but what is the case of the poor consumer ? What is the proportion of the price which the poor consumer pays which is affected by this change? I do not allow this argument, but I will allow it because I wish to put the worst case possible, and deal with it. I will assume that this 10 per cent. decrease in the hours of labour worked as laid down under this Bill is going to have its full effect, and that the cost of coal will be increased proportionately. Roughly speaking, in the South of England one-fifth of the cost of coal is the amount paid to the miner; that is to say, you are making a 10 per cent. increase on the fifth of the cost of the coal, which means a total increase of 2 per cent. to the consumer after allowing for the full 10 per cent. increase, which is a result we do not in the least anticipate or admit. Besides this there is every probability that you will increase the man-hour output, that you will decrease the wastage to a certain extent, because as the hours become more regular working expenses will probably become less. Then there is an improvement in the machinery of the mine which the Committee consider is certainly likely to accrue. It should also be remembered that for five years the decrease of the hours worked will only be 5·7 per cent. under this Bill, and it will not be until five years have elapsed, when the coal trade has had full opportunity of realising and adapting itself to the new position, that you will get to the 10 per cent.

The noble Marquess challenged me on the question of danger, and he was the only speaker who came out into the open and opposed this Bill on the question of danger. Other speakers rode off on that part of the Report of the Committee which states that the health of the miners is satisfactory and that the mortality is low. I think that is just one of those cases where mere statistics are the most illusory things in the whole world. Many of your Lordships saw the finish of the Marathon race. That is perhaps a most vigorous form of exercise, but if you take the statistics of mortality of those who ran in a Marathon race there is only one instance on record of a man who died in a Marathon race. It might be argued from that as only one man has died in a Marathon race that the Marathon race is the most healthy thing in the world.

LORD NEWTON: Why do you quote statistics at all if they are illusory?

*LORD LUCAS: I am only quoting them to show how illusory these ones were. The fact is that coal-mining is one of those particularly strenuous professions in which a man does not get a chance of dying. If a miner becomes infirm or crippled for any reason by the nature of his work he has to pass out of it into some other trade, and it is in the other trade that death ensues. You can see that plainly enough from the statistics.

LORD NEWTON: But you say statistics are no use.

*LORD LUCAS: I do not think anyone will deny that coal-mining is arduous and dangerous. It stands second only to one trade, namely, that of the seaman, in the percentage of deaths and accidents. Besides this, coalminers are liable to three or four special diseases, and they work under more unnatural conditions than any other trade. What makes the position worse is that a miner goes down a mine and he cannot get out of it until the end of his shift. When the noble Marquess opposite asks me to show him how this decrease of hours is going to affect the safety of the miner, I ask him to compare the statistics of accidents which occur in his own county with those which occur in South Wales. In South Wales, where they work longer hours than in the counties of Northumberland and Durham, the percentage of accidents is enormously higher. That, at any rate, is one piece of evidence. I know it is difficult to produce conclusive evidence on that point, but that at any rate, is one thing in our favour. I should have thought that the noble Marquess, Lord Londonderry, would have found in that particular fact sufficient reason for supporting this Bill, but apparently he regards longer hours as being safer than shorter hours.

THE MARQUESS OF LONDONDERRY: I never said so. I never stated that longer hours were safer. What I asked was how by curtailing the hours the Government proposed to secure the health and safety of the miners.

*LORD LUCAS: The noble Marquess quoted the Railway Regulation Act as being the only case where the hours of adult labour had been restricted.

THE MARQUESS OF LONDONDERRY: I never quoted the Railway Act at all. I think the noble Lord has entirely mistaken me for some other noble Lord.

*LORD LUCAS: Before speaking of the Shop Hours Act I think the noble Lord referred to an Act in which there had been a curtailment of the hours worked by railwaymen, and he justified that on the ground——

THE MARQUESS OF LONDONDERRY: I never mentioned the Railway Act. The noble Lord is confusing me with some other noble Marquess.

*LORD LUCAS: I must adhere to what I have said. It is within the recollection of some other noble Lords that the noble Marquess mentioned the Railway Act. I only wish to say that if the noble Marquess justifies the restriction of the hours worked by railwaymen on the grounds of public safety surely that is the best ground you can possibly have for restricting the hours of those men. Surely this is more important in the case of mining, because there is no other trade in the world where other men's lives depend so much on the caution and care taken by any one individual workman than in the case of coal-mining. Therefore, if you are going to restrict the hours of railwaymen because long hours endanger the lives of passengers, surely you should restrict miners working long hours because they endanger the lives of everybody in the pit.

In conclusion, I think I am right in saying that the arguments which have been put forward against this Bill have been put forward a hundred times against other similar measures. Exactly the same line of opposition as that which has been put forward against this particular Bill was put forward in the case of the Factory Acts, the Navigation Laws, Workmen's Compensation Acts, and, finally, Chinese Labour. We are always told that these restrictions placed upon the time which a person works and which are put on in the interests of the worker himself are going to cripple trade. I believe I am right in saying that there is not a single case where legislation has been passed of this kind with the intention of bettering and improving the conditions of the workers which has been unsuccessful or which has crippled the trade to which it was directed in the way predicted at the time the measure was passed. Fortified by that teaching of history, we are perfectly confident that this Bill will have the same effect. It is true we are creating a slight disturbance in the trade, but it is to be extended over a considerable time, and we are allowing ample scope for the scientific development which in similar cases has always replaced and compensated for the shorter hours worked by the men. We are applying this Bill to a trade which has great ingenuity and great scientific ability and capital behind it, and we are confident that it will have the same effect as other humanitarian measures of its kind have had in benefiting the workers without in any way interfering with or crippling the trade.

*VISCOUNT ST. ALDWYN: I cannot pretend to that intimate acquaintance with the working of collieries which is possessed by my noble friend behind me, and by more than one noble Lord who has addressed your Lordships to-night. I will, however, venture to trespass upon the time of this House for a brief period, feeling as I do that, having regard to the importance of this subject, the time at our disposal is far too brief, because I happen to stand at the present time, and have stood for some time past, in a special relationship to masters and workmen in one of the most important coalfields of this country. The arguments against this Bill appear to me to divide themselves into two classes. There are arguments of principle and arguments as to the effect of the Bill in its present shape which might be met to a more or less extent by alterations in Committee. The arguments against the Bill in principle are those which have been advanced in more than one speech, but notably by the noble Earl, Lord Cromer, and by my noble friend, the Marquess of Londonderry. Lord Cromer twitted the Government with the difference between the proposals of this Bill and their general free trade policy with regard to imports into this country. I am not going to follow the noble Lord into that field. There may be that difference, but if it be so, at any rate it is a difference that has been made for more than a generation in the history of our legislation. Almost as soon as the free trade policy with regard to imports was adopted in this country, the Factory Acts came under consideration, and the first Factory Act which was passed, so far as it went, was in contravention of what Mr. Cobden and Mr. Bright said was the principle of free trade. It is really too late to object in principle to the provisions of this Bill on that ground.

Then my noble friend Lord Londonderry took another ground, that this is a Bill interfering for the first time with the right of the free adult workmen to deal as he chooses with his own labour. There again, my Lords, I am sorry that I differ from my noble friend. I think the whole history of our legislation interfering on the ground of humanity and safety with the conditions of many trades in this country shows that that principle has in practice been surrendered long ago. To my mind this industry of the workers in coal-mining does present some differences of a very material kind from other industries to which in the judgment of some noble Lords it is possible that this policy may be subsequently extended. Take, for example, the point which has just been alluded to of the peculiar conditions by which it is rendered impossible for a workman to begin or to finish his work at a coal mine at any time he may desire. All the miners have to go down together at some fixed time of the day and all have to come up from that work together at the end of some fixed time. Therefore there is not that individual liberty as to their hours of labour in the case of workmen in the coal mine that there is in most other industries in this country.

Further than that I do think there is something to be said on the ground of humanity. What do the miners say themselves? Much has been said in this debate about the admirable qualities of the coal miners of this country, of their intelligence, the courage and self-sacrifice they show in times of trial, their power of organisation, the ability of their leaders, and the strength of their organisations, when it comes to dealings with employers. I think it has almost been said that the state of the coal industry is such that through these organisations the workmen are rather more the masters of the mines than the employers themselves. That is the position of these men. It is urged sometimes that that being their position, they ought to be able to settle for themselves without the interference of Parliament the hours they should work; but the fact is that they come to Parliament, I will not say unanimously, but at any rate, with the voice of all their organisations, which is not contradicted by any single portion of that organisation.

LORD NEWTON: Yes, it is.

*VISCOUNT ST. ALDWYN: They come to us and ask to have their hours of work limited by Act of Parliament instead of attempting to do it for themselves. I will not enter into the question as to why they do this. The fact remains that being what they are they have done it, and why do they say they have done it? They say they do it on the ground of humanity. My noble friend Lord Newton told your Lordships that this ground of humanity has practically been destroyed by the Report of the Departmental Committee.

LORD NEWTON: Hear, hear.

*VISCOUNT ST. ALDWYN: I cannot agree with my noble friend. I have a very strong feeling that anybody who goes down a coal mine and sees these men at work in a high temperature at the face of the coal, and remembers that they have to work there for nine or ten hours without leaving that spot; anyone who reflects that that work goes on day after day, and that these men are deprived of the benefit to a large extent of that sunlight and fresh air which are so great a thing in our enjoyment of life, will pause before he thinks that those considerations of humanity are of so little importance in this matter as my noble friend Lord Newton seems to consider. I will not enter into questions of health at all. Although it has been suggested in this debate that the life of a coal miner is so agreeable that it should be preferred by a labouring man to any other employment, I do not think it can be contested that the work is most laborious and disagreeable. Barring one industry, namely, that of a sailor, I believe it is the most dangerous work in which men can engage in this country. These are the reasons why the miners come to Parliament and ask for this interference on their behalf. I must say that I think there is adequate ground for your Lordships giving a Second Reading to this Bill, having in mind the source from which this demand comes and the ground upon which it is urged. But I will go further. As has already been stated by my noble friend the Leader of the Opposition, this subject has been before Parliament a very long time. I speak from my experience in another place, which probably has been longer than that of any noble Lord whom I am addressing. I can remember this question years and years ago, and the fact remains that this Bill is not only recommended to us by the fact that it has been passed by the present House of Commons, which is composed of a large majority of gentlemen holding advanced opinions. Not only this, but the principle of the Bill was accepted by large majorities in 1893 and 1894, and in 1901 by perhaps the most Conservative House of Commons that ever existed. I can say from my recollection of the feeling of the House of Commons on this matter while I was a Member of it — a feeling which was entertained by many members of the Unionist Party, some of them very distinguished, like Mr. Chamberlain, who were not in the least influenced by the miners' votes in their own constituencies — I can say that I am quite convinced that any House of Commons that is likely to exist would accept the principle of this Bill: and I argue from that that this Bill has a very large measure of support among the constituencies in the country at large. I find in that single fact a very vital reason, quite apart from what my noble friend Lord Newton has described as a matter of tactics, why your Lordships should give at least a Second Reading to this Bill.

Now I come to the arguments against the Bill, which I venture to describe as arguments on points which can be dealt with in Committee. First of all there is the very great difference between the circumstances of the several coalfields in this country. My noble friend Lord Londonderry has dwelt upon the peculiar characteristics of working in the coal mines of the county of Durham. Everybody admits, and the Government admits, that what he has stated is nothing more than the truth. My noble friend the Earl of Plymouth has dealt with similar facts with regard to the coalfields of South Wales, and I think other noble lords have referred to the coalfields of Lancashire and the special circumstances existing there. I do not think it is quite enough for His Majesty's Government to say in answer to these statements, which are of the most important character, what was said by the noble Lord who has just sat down, that the Government does not dictate to collieries how they should work. What the Government is attempting to do through Parliament is to dictate to collieries the hours of labour within them. I think they are bound to take cognisance of these varying circumstances in the different collieries in the country, and they should attempt, at any rate, so to shape their Bill as to fit it to the peculiar circumstances of each. I think that has been admitted to some extent. There is to be a special proviso with regard to a certain class of workmen in South Staffordshire. There is a proviso that in the case of Durham and Northumberland twelve months instead of six months delay should be allowed in fixing the time at which this Bill comes into operation. I do not think these provisos are sufficient. My noble friend the Leader of the Opposition suggested that this matter should be dealt with in Committee and I have no doubt some such Amendments will be put down for consideration. I hope that His Majesty's Government, although the time is short, will really devote their attention to this subject, and will see what can be done to meet the varying circumstances in the different coalfields. Then there is another even more important matter, and that is the effect on the consumer. We have heard a great deal both in and out of this House of the probability of a decreased output and an increase of cost to the consumer of coal in consequence of this Bill. I hope my noble friend Lord Newton will pardon me when I say that I cannot at all accept the views which he has put forward on this matter, and which were put forward by the Coal Consumers' League, of which he is the President. He has admitted that the League has gone far beyond anything that was right in suggesting that the price of coal would be increased to the consumer by 5s. a ton under this Bill. The only justification, however, which he has given for the action of the League of which he is President, was this: that similar mis-statements—I should call them by a shorter word—had been made with regard to Chinese labour in the Transvaal mines before the last general election. I hope that we on this side of the House at any rate will never imitate those atrocious inventions. I have some reason for doubting seriously the statements that have come from persons interested in the coal trade with regard to a possible rise in the price of coal under the operation of this Bill. It was my fortune, as perhaps your Lordships may remember, to introduce a shilling export duty upon coal. Through deputations, through speeches in the House of Commons, through statements in the Press, as wild and extraordinary prophecies were made of the effect of that little duty as any that have been made with regard to the operation of this Bill. I was told that coal-pits would be closed, that their owners would be ruined, that workmen would be thrown out of employment, that ships would be laid up, that export cargoes would not be found for steamers trading with foreign countries, that shipbuilding would cease, and prognostications of that kind were made all over the country by those interested in the coal industry, by employers and workmen and also by shipowners. That tax was imposed, and the only harm it ever did was to decrease very slightly the export of coal from the North country to Germany, a decrease which was, I am sure, more than made up by an increase in the export of coal from this country to other markets abroad. Having that before me, I confess that I do not believe the prognostications as to the effect which the passing of this Bill will have upon the price of coal to the consumer in this country. If it was likely to have anything like the effect which is prognosticated it would be so serious a question that no Bill of the sort could be allowed to become law. But as some alarm has been excited by these statements, may I suggest to the Government that it really is their duty to do all they can, by accepting reasonable Amendments, to diminish fears of this kind, however unfounded they may be? What is this Bill? It is a measure to introduce after a brief interval what is practically an eight-hours day in the coal mines of this country, excluding both windings from the period of working. I should have thought that His Majesty's Government might have been content with this for the present. Uncertainty as to the operation of this Bill is evident in every speech of those who defended it in another place. I think it is evident, even in the speeches of those who defended it in this House. It is evident in the Bill itself, for was there ever a measure passed before which contained anything like the provision in Clause 4, enacting that—

> "His Majesty may, in the event of war or of imminent national danger or great emergency, or in the event of any grave economic disturbance due to the demand for coal, exceeding the supply available at the time, by order in Council suspend the operation of this Act, to such extent and for such period, as may be named in the order, either as respects all coal mines or any class of coal mines."

Those words show that the Government mistrust the operation of their Bill, at any rate when it is intended to come into full operation. My noble friend who leads the Opposition suggested—and I entirely agree with him—that it is worse than absurd to leave in this Bill any proviso that there shall be any alteration of the hours for which work is limited at the end of five years. I think you ought to deal solely with the present emergency whatever it may be. You ought to give sufficient time before the new conditions begin to operate. You ought to proceed very carefully and try to meet the varying circumstances of the different coalfields, and when all that has been done, when the change you now wish to make has come about, that change ought to remain until Parliament otherwise determines. It is useless to attempt to legislate for circumstances which may or may not occur five years hence, when nobody amongst us can possibly foresee what those circumstances can be. We know that there certainly will be by that time a new House of Commons to deal with legislation, and probably a new Government sitting on the bench opposite.

I do not intend to detain your Lordships longer, but there is one other thing I wish to say. It has been urged more than once in the course of this debate by noble Lords who have opposed the Bill that the miners desire this measure solely with the view of obtaining increased wages for the same work or even for less work than they are doing now, I do not think that is quite a fair charge. I believe from my knowledge of the coal miners, and I have come across them a good deal, that like other people they desire to improve their condition in this way, but I believe what they really want in this Bill is not increased wages; they have aspirations for a more civilised and leisurely life; they desire to have more time above ground in the free air of heaven and in their homes—time which they may devote to purposes other and higher than those of their great industry, and I trust that your Lordships, having in mind that feeling on the part of the men, will not refuse a Second Reading to this Bill.

*LORD BELHAVEN AND STENTON: The noble Viscount has touched upon one point upon which I wish to address your Lordships, but with all deference to his great experience I wish to make a few remarks upon what he has said with regard to a decreased output of coal. I am not going so much into the question of an increase in price through reduced hours of working, which on all hands is expected as the result of the passing of this Bill. That increase may only be 1s. per ton or 1s. 6d., but that is not the point which will have the greatest effect on the general increase in the future in the price of coal. The shortage may be 10,000,000 tons per annum, and is more likely to be 20,000,000 tons of coal under the arrangements proposed for the next five years. We all know that in regard to the price of any commodity the principal element is not the shortage of the supply, but the character of the demand. An imperative demand for coal has frequently caused a sudden and enormous increase in the price, as was mentioned by the Marquess of Londonderry when, at certain periods, the price of coal went up to three times its normal value. A considerable shortage of coal production in this country would very likely produce a much greater increase than the mere extra cost from working shorter hours. I remember the great boom in coal which took place in the year 1900, and that was caused by the sudden and rapid increase in the demand for coal from France and Germany. At that time the price of coal went up to two and three times its ordinary price, and when that demand ceased it fell down again to its usual price. Of course, anything of that sort was only temporary, but supposing the output of coal in this country is 20,000,000 tons less than we have been accustomed to, that will increase competition to get the coal, and it may produce a very high price. Living as I do, in the midst of the collieries and the ironworks of the West of Scotland, I know how very important it is to the ironworks that there should not be any great rise in the price of coal. I know from my own knowledge of steelworks in the town in which I live, where pig-iron has been bought from Belgium when there were blast furnaces within 200 yards of those works lying idle, because they could not produce pig-iron as cheaply as it was being produced in Belgium. If the price of coal went up 1s. or 2s. per ton to say nothing of its going up more than that on account of shortage, a serious state of things would be produced, because for every ton of steel produced from three to four tons of coal are required. Under these circumstances your Lordships can imagine what an enormous difference it would make, and how entirely the works and the production of that part of Scotland and any other part of the United Kingdom would suffer by the importation from abroad of iron and steel cheaper than we can produce it ourselves using our own coal. Therefore, I feel bound to follow my noble friend who proposed this Amendment into the Lobby and vote against the Second Reading of this Bill.

*THE EARL OF DURHAM: I desire to join in the complaint which has been made of the short time we have been allowed for the discussion of such an important subject as this. I have heard many interesting speeches to-night, but from a psychological point of view to me the most interesting was that made by the noble Marquess who leads the Opposition, whose speech represented a very delicately balanced see-saw, upon which one looks with suspense to see which end will finally tip up. I derived very little more encouragement from the speech of the noble Viscount, Lord St. Aldwyn, who indulged in philanthropic expressions which came from his heart, and he advised your Lordships to pay attention to the wishes of the miners of the United Kingdom. I look upon this Bill from another standpoint. I look upon it from the standpoint of an inhabitant of the county of Durham. The noble Lord, the Marquess of Londonderry, has spoken to you on the subject of Durham and has pointed out what very serious effects in his opinion will befall that county if this Bill becomes law in its present form. I can fully corroborate what the noble Marquess has stated, and I wish to add a few further observations to clinch the arguments which my noble friend has advanced. In the first place, we have all heard a good deal about the protectionist character of this measure, but I will not discuss that question. It is a protectionist Bill in my opinion, which has been advocated by the Miners' Federation. For many years the miners of the North were bitterly opposed to the Miners' Federation, and to any idea of an Eight Hours Bill. They were also opposed to any idea of interference with their old established customs of mining in the counties of Durham and Northumberland. For some reason or other not connected in the least with philanthropy, they at last consented to join the Miners' Federation. The Miners' Federation felt that they were bound to enrol Durham and Northumberland, because without them it was utterly impossible to attain their object, and, in spite of what the noble Viscount has just suggested, I maintain that the chief object of the Miners' Federation for many years past has been less work and higher wages. They knew it was impossible for them to persuade Parliament or the country to grant an eight-hours day unless they could induce Durham and Northumberland to acquiesce, or, at any rate, not actively to oppose this wish. I could prove that to your Lordships with the greatest ease. I have just said that they could not get this Bill without the consent of the Durham and Northumberland miners. I am very sorry that from this side of the House I have heard no mention of Northumberland and Durham, and yet those counties are to be accorded a period of six months longer in which to make their arrangements than any other coalfields [in] Great Britain. Why are they allowed six months more than other counties? Simply because the arrangements in Northumberland and Durham are so perfect that it will take six months longer to upset them and make fresh ones. What was said only last night on the Third Reading of this Bill in another place? Mr. Markham, a colliery owner, or, at any rate, a gentleman interested in collieries in the Midland counties, read a telegram to the House of Commons from the manager of a Midland colliery, stating that six months preference to the North of England meant absolute ruin to the Yorkshire and Derbyshire trade next year. Therefore you have the opinion of a colliery manager that if you give this extra six months to Northumberland and Durham the economic conditions are such that you will absolutely ruin the trade of Yorkshire and Derbyshire. And why? Because they will be able to produce coal cheaper in the North of England than it can be produced under this Bill. Those noble Lords who pretend that the cost of production will not be increased by this Bill are absolutely contradicting Mr. Markham and the view of the manager of one of his Midland collieries. All experts know that this Bill will cause a rise in the price of coal, and it is in order to raise the price of coal that the Miners' Federation are so anxious to see the Bill carried into law.

From a philanthropic point of view I should like to say a few words about the county of Durham. I wish to point out that none of the leaders of miners in Durham or Northumberland have spoken in favour of this Bill in the House of Commons. As a matter of fact, they have maintained a discreet silence, because they are in a difficult position owing to the fact that they have joined the Miners' Federation, and because they really do not know what view the miners of Northumberland and Durham will take of the Bill when they have studied it. Very few of us have had much time to study the Bill. I know some of the miners' leaders, and I have the greatest respect for them. I admire their loyalty to their own class, and I have the greatest confidence in their dealings with employers. In Durham there is a joint committee of owners and miners' representatives, and the leaders of the miners always act with the greatest consideration and good feeling and tact towards the employers, and I know they have averted many strikes and difficulties and smoothed down all sorts of things which, without their tact and good feeling towards employers, would have caused a great deal of trouble in the coal trade. Not one of these men has spoken in favour of this Bill, and not one of them has ventured to advocate it on behalf of the Northern miners; still less have any of them made humanitarian speeches. None of the miners' leaders have talked about the overworked condition of the unfortunate boys in the county of Durham. They have not done so because they are far too sensible men to talk such nonsense. I should like to draw your Lordships' attention to what the effect of this Bill will be on the miners in the North of England in regard to their hours of work. I do not think noble Lords quite realise that 25 per cent. out of the whole number employed in the pit will have shorter hours. No less than 50 per cent. of the men now at work will work longer hours, and 25 per cent. will work the same number of hours. Those 50 per cent. who will have to work longer hours are the most important men in the mine. They are the hewers who do the most arduous work and are the best paid. These men work actually six hours and forty minutes per day, but under this Bill these hewers will not be allowed to work six hours forty minutes, because the employers will not be able to afford to allow them to do so, and they will have to enforce eight hours per day. Now, will those hewers in Northumberland and Durham consent willingly to change their working hours from six hours forty minutes per day to eight hours? I certainly think they will not. If they do not it is obvious that their wages will have to be reduced. Therefore, I think there is every probability of friction, and as the Marquess of Londonderry said, of a strike in the county of Durham. I am assured of this by people who know what they are talking about, by managers of important collieries, who have told me that there is almost certain to be a strike if employers insist upon carrying out this Bill strictly. I hear from one of the most important collieries in Durham that the output will be reduced by 20 per cent., and that the price of coal will go up from 1s. 8d. to 2s. per ton. I agree with the noble Lord who said we must not indulge too much in statistics, but what I have said is the opinion of an honest man as to what will occur in his colliery. I have already pointed out what the hewers will have to do under this Bill. The persons who will have a reduction of hours are the putters and the boys in general. These putters work ten hours per day on the average, and they are employed upon much less serious and arduous work than the hewers. I should just like to tell your Lordships what they do. They are boys of thirteen to sixteen and upwards and they work ten hours a day, but they only work fifty-two hours in the week. Their duties consist of opening and closing the ventilation doors, coupling up the tubs for the trains; they act as drivers, and they travel from point to point in the pit. These youths sit on the limbers, and their ponies do the rest. The pay of these boys from the age of thirteen to sixteen is from 9s. to 12s. per week; and from seventeen to twenty years of age they get from 18s. to 30s. per week. I will read to the House one or two typical cases of the wages paid to boys. In October and November last a return was made to the Coal Trade Association in Newcastle, which showed that a boy of eighteen was receiving 31s. per week; a boy of fourteen 14s., a lad of seventeen 19s. 2d., another boy of eighteen, 36s. 2d., a lad of seventeen 15s. 10d., another boy 33s. 1d., and in another case a lad of eighteen was getting 17s. 1d. I do not need to trouble your Lordships with further figures. All I wish to point out is that these youths are to be bound hard and fast by the rigid rules contained in this ridiculous Bill. I should like these boys to have more time in the open air, but I may tell the House that when above ground they spend most of their time playing football and cricket. From an economic point of view was it better that these boys should for five years work say ten hours a day at not very arduous work or that they should work an hour more for the rest of their lives than the hewers were doing at present? As a rule they are the sons of hewers and men who have been in the colliery themselves. I do not believe agricultural labourers will flock into the pits. At any rate they do not do so in my county. These boys are brought up to the life; they are serving an apprenticeship, working ten hours a day, and they get very good wages for it. Under this Bill those boys will have to work eight hours all their lives, whereas now after having served an apprenticeship of five years they rise to the rank of hewers, and then they only work six hours and forty-eight minutes per day. There are about 95,000 miners in Durham and 44,000 of them are hewers, so that practically half the workmen will have their hours of work raised from six hours forty minutes per day to eight hours. I should like to show your Lordships some of those fine healthy boys; some of them in my parish belong to the Church Lads Brigade. They are not picked boys at all, but they work in the pit. They belong to the Church of England, but I do not think that Church claims a monopoly of vigour as well as of virtue. They are very good boys, neither aggressive nor servile, and they have enormous appetites. They come once a year to my home to be inspected by me. I really cannot remember my rank, but I think it is an Honorary Commandant. No doubt my house is more luxurious than their own homes; they take an enormous interest in certain sporting trophies, and they have an almost irresistible temptation to put their heads into a certain tiger's jaw. They are as good boys as you can find, and they are typical of the class in the county of Durham, when properly looked after. It is futile to say that these boys deserve consideration from a philanthropic point of view, or that they are overworked or ill-treated. Their fathers would not tolerate that for a moment. My noble friend knows very well they would not stand that sort of thing, because they are independent and good-hearted people.

This Bill will do immense harm to Durham, because it will put up the price of coal. I do not care what other noble Lords may say, but I am perfectly convinced of that, and if it does that it will cause serious injury to the other industries in the county of Durham. In Durham 80 per cent. of the coal drawn is employed for the purposes of local industries, and, therefore, to that extent other industries will suffer. In Northumberland 80 per cent. of the coal is sea-borne, sold in foreign markets. There, again, if the price is permanently put up Northumberland will lose its foreign trade in coal. We do not agree with the noble Viscount about that 1s. tax on coal, but if the increased price caused by this Bill should reach 2s., I think the noble Viscount will admit in bad times with keen competition with Germany, France and Belgium, Durham might lose some of its markets owing to the artificial price put upon coal by this Bill. I have spoken on behalf of Durham and Northumberland, because I do not believe that the miners of those counties want this Bill. I am not inimical to the interests of the miners, but I am hostile to this Bill, because I believe it will do an injury to my county. I speak with some responsibility because my family has been for generations connected with the coal trade, and we have employed tens of thousands of men during that period. While that has tended to develop the district it has been done with mutual goodwill and respect between employer and employed. I like the men, and I think I can say without a blush that they like me. At any rate, I know they show a touching loyalty, though often a mistaken one, by backing my colours on the turf. I have been with them during a sad disaster in one of my own collieries, and amongst the managers and agents and all persons connected with the pit there was deep sorrow at the calamity. None of us thought of the cost at the time or of the laying idle of the pit, and there was a general feeling of goodwill and sympathy amongst all classes. I have had further experience of them, because I have known what their conduct has been during a prolonged strike which cost me thousands of pounds. They cut off my agent's gas supply, and then they told him they were extremely sorry to put him to such personal inconvenience. They refused to allow me to pump water out of a pit and thus deprived their own wives and children of a wholesome water supply. When the distress was very great, and when every day of the strike was costing me large sums of money, they sent a deputation to ask me to head a subscription list to maintain the families of those who were out on strike. How can I help liking such men? It is because I honestly and conscientiously believe that this Bill will not be a boon but a curse to the miners of the North that I oppose it. I shall vote for the rejection of the Bill because I think it will do injury to all classes in that part of the country in which I live.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, my noble friend who has just sat down seemed to indicate that scarcely sufficient time had been given to your Lordships for the discussion of this important subject. I hope that is not so. I can only say, so far as we are concerned on this side of the House, that, if noble Lords opposite or in any part of the House had shown a desire to adjourn the debate till to-morrow, we should have been fully prepared to meet their wishes.

It is perfectly true that this subject has been before the country for a very long time. The year of 1888 was mentioned as the date of the first occasion on which an Eight Hours Bill was brought into Parliament. But, as I think one noble Lord said, years before that the matter had aroused no little interest in the mining districts. I was a candidate for Parliament myself in one of the principal mining constituencies in the years 1884 and 1885, and at that time the question of eight hours was undoubtedly one which interested the miners more than any other, even more, I think, than the question of what ought to be the precise powers of your Lordships' House, which was at that time, as now, one of prime interest to the country. This certainly cannot be described as a party question. The noble Lord who moved the rejection of the Bill told us that, although he had sat for a Lancashire constituency containing many miners, yet he had always expressed himself as adverse to the Bill. That, I think, was not the case with most of the Unionist candidates for mining constituencies. So far as I am aware, almost to a man for the last five and twenty years they have expressed themselves strongly in favour of the principle of eight hours, and I think, therefore, we are entitled to say, because it is clear that those cannot be the only members of the party who are in favour of the Bill, that it does receive a very considerable degree of support from the party of noble Lords opposite.

The Bill seems, however, to have some effect in dividing the political action of families. In another place its rejection was, I think, moved or seconded by Lord Castlereagh. Here, on the contrary, the noble Marquess, Lord Londonderry, although, as he has told us, he does not much like the Bill, is not going to vote against it. On the other hand, there is a noble Earl, one of our most eminent Members, whom we do not hear often enough in the House—I mean Lord Crawford—who, I gather from his speech, is going to vote against the Bill. Well, his distinguished son has, I believe, invariably supported it; and this, at any rate, entitles us to say that the question is one which, although it may occasionally divide a household, is not one of a party character. And then also, as we know, it has been carried in the House of Commons when both sides have been in power. I think it was said by Mr. Balfour that that was, after all, only a Friday, and too much attention must not be paid to a Friday. I am inclined to think that those Friday chickens have a way of coming home to roost, and I believe that if it had been the case that those who were then in office were seriously opposed to the Bill, or ventured to declare themselves seriously opposed to the Bill, they would have taken care that it did not get a Second Reading, even on a Friday afternoon.

It is certainly true that during all these years the matter has not been sufficiently thought out by either side, and that there were, no doubt, a certain number of people who spoke of a bank-to-bank eight hours as though it were a matter which could be arranged by a stroke of the pen and was likely to be perfectly simple in its operation. On the other hand, the great mass of the public, regarding the measure with favour as a humane one, undoubtedly did not consider what effect, if any, it might have on the price of coal. But after this period of peace we have had a singular period of disturbance among consumers, and a regular consumers' panic has been, I will not say engineered, because I think that is not a pleasant word, but has been somehow brought about. I do not know if your Lordships are all as sick of leagues and their documents as I am. Documents from all manner of leagues are snowed upon me day by day until I have had to add extra storeys to my waste-paper baskets, and my private secretaries are kept at work, not in docketing them, but in preventing my being smothered by them; and among these leagues the Coal Consumers'

League has been particularly prominent of late.

We have had something like this before on a great many occasions. There are very few in this House now who will remember the passing of the Factory Acts, but I see here at least two noble Lords who will remember the discussions which took place when they were brought in. I should like to ask my noble friend the noble Marquess (Lord Ripon) whether it was not the case that when the Ten Hours Bill for children was brought in precisely the same kind of prognostications of general ruin of all industry were freely uttered as are uttered on this occasion. We have had plenty of instances in our time. When workmen's compensation was first talked of we were told it was going to bring every trade down to the ground. The cost would be so prohibitive that it could not possibly be borne when trade was bad. Then Lord Newton mentioned Chinese labour in the African mines as a subject on which exaggerated statements had been made, but he might also have mentioned it as a subject about which prophecies had been incorrect. How often we were told, in and out of this House, that if Chinese labour were interfered with in any way the gold industry in the Johannesburg mines would be absolutely ruined? Now we have the testimony of the mine-owners themselves, quite apart from the figures of production, which sufficiently proves what I say, that the industry has prospered more since Chinese labour began to depart. Then, if you want another instance, we had one yesterday. Two or three noble Lords made prophecies of a most blood-curdling character as to the effect on every industry in London of the proposals of the Government in the Port of London Bill. So little attention did your Lordships opposite pay to those prophecies that those noble Lords knew they could not get sufficient support to make it worth their while to divide the House. Therefore, although I shall deal in a few moments with this question of the rise of price, it is, I think, absolutely fair to draw the attention of the House to the extreme ease with which a panic of this kind is raised. It is not so easily dropped, and unfortunately such a panic may do a great deal of mischief even though the supposed facts on which it is founded are not facts at all. I protest, therefore, that when noble Lords and others elsewhere make statements as to the immense damage likely to be done by this Bill without being absolutely certain that they are speaking by the card, they are undertaking a somewhat serious responsibility.

It has been said: "Why bring in the Bill at all? Here you have this enormously strong union, probably the strongest and the best organised of any; why cannot you trust it to arrange with the coal owners its own terms as to hours in the same way as it is able to come to terms about wages?" If that were done, either the men could get the eight hours or they could not. If they could not, that, of course, is a sufficient answer to the question. But supposing they did get it, they would get it in one of two ways. They might get it by collusion with the coal owners. If they got it in that way, I think there would be some reasonable fear that the interests of the consumer might not be specially regarded. It is surely infinitely more advantageous if it is to be got at all, that it should be got by a Bill of this kind, surrounded by every kind of safeguard. On the other hand, if the owners did not agree and the men got it by means of a strike, the dislocation of trade, the probable rise in the price of coal, and all the mischief would be infinitely greater than anything which is claimed even by the strongest opponents of this Bill to form any part of its possible consequences.

The argument which, I think, has to be relied on throughout for this Bill is what has been spoken of as the human argument. I quite agree that this argument must be the mainstay of anybody who supports a Bill of this kind, and it is undoubtedly the argument which the Government wish to adopt in bringing in this Bill. It has been, I think, sufficiently shown by previous speakers that to judge of the healthiness of mining as a trade by mortality figures is to mislead oneself. As has been said more than once, in an industry of this kind, the number of people who die when actively engaged in it cannot be an index of the healthiness or otherwise of the industry, because no miner can be an invalid and no invalid can be a miner; but it will be found that the number of men who live to a considerable age after they have had to give up mining is not very great.

Then we come to the question which was raised by my noble friend behind me and also by the noble Marquess—that of boys' hours. My noble friend gave a most captivating account of the life of the boys, putters and others, in the Durham mines. He said that they were well paid. I have never heard anybody deny that they were well paid. I do not think the question of their wages has ever been considered as relevant one way or the other; but undoubtedly their hours have been considered relevant; and I confess, in spite of the entrancing picture drawn by my noble friend, I am not personally convinced that it is proper for a boy of sixteen and onwards to spend ten hours a day for five days and a half, at any rate, underground. My noble friend said they came up and played football. That would be, no doubt, once a week. I have no doubt that is so, but if a boy is ten hours in a mine he is not likely to be able to do very much else on that day, and surely it must occur to many of us, when we talk of continuation schools and higher education, that anything of that kind is absolutely incompatible with ten hours work a day below the surface. It is absurd to speak as though these boys were cruelly treated. I have never heard anybody say they were; yet at the same time it would take more than either of the noble Lords have said to convince me that ten hours is a proper time for those boys to be below ground.

Then there is the general question of the conditions underground. I need not labour that, because the noble Marquess who leads the Opposition and the noble Viscount, Lord St. Aldwyn, both dwelt with great force on this aspect of the question. I entirely agree, having been familiar with collieries all my life, that anybody who goes down a pit and spends some time at the face of the coal cannot fail to appreciate that the work is unlike any other kind of work which one has ever seen done; and I should sometimes like some of those people who talk so lightly about the life of a miner, the ease of it and the high wages, to spend a few hours down a pit, and then be asked how they would like to spend between nine and ten hours a day there, even for four or five days in the week. As mines go on getting deeper and deeper the conditions get harder. The deeper mines are generally the hotter mines, and the number of men who have to work at very high temperatures undoubtedly tends to increase. I do not propose to dwell on the question of danger or to what extent long hours may either cause or lessen danger. The question of the second winding is, of course, another matter altogether.

I pass for a few moments to what has been said on the economic difficulty. Noble Lords opposite taunt us with our abandonment of the Manchester theory of cheapness. We are, in our turn, I think, entitled to taunt them with the sudden worship which they have developed for cheapness considered alone. We hope that some day, if ever a Corn Consumers' League has to be instituted, some noble Lords opposite will join it. As everybody knows, the fluctuation of prices in the coal trade is a very singular feature of that business, paralleled, so far as I know, by no other industry in the world. There are some collieries—not many—which are almost habitually worked at a loss. I refer to some of the very thin seam collieries. They make a fair profit during the two or three better years which come with a kind of apparent regularity in every decade, and when a first-rate year comes are able to make enough in a short period to make the business profitable. The fluctuations of price in this particular trade are, as I say, astonishing. I say frankly that if I believed that this measure was going permanently to increase the price of coal to the consumer I, for one, could take no part in advocating it. It is not merely, as has been very truly said, that the vast majority of our industries depend upon coal. What I think appeals even more to most of us is the thought of the poor man's coal, and also, I may add, of the difference which the price of gas makes to a large number of poor householders. All those things must not be forgotten. But what is the evidence that the price of coal will be either at once or permanently increased to any serious extent?

But it has been said: "Think of unemployment! If you are going to increase the price of coal even by a shilling, think what you will do in the way of causing extra unemployment." In the last quarter the price of coal has fallen 3s. Railway contracts have been made all over England for from 2s. 6d. to 3s. less than last year. It is, I think, true to say that the price generally has fallen 2s. or 3s. at the pit's mouth. You do not observe, from that fall in price, an astonishing outburst of prosperity in the country. That being so, whatever may be the objections to a small rise caused by this measure in the price of coal, it is, I think, very difficult to argue that it is going to have anything approaching that effect on the industries of the country which noble Lords opposite have tried to suggest. The industries of the country are carried on with 7s. and 8s. rises in coal. Those facts have to be borne in mind when you consider what the effect of this particular measure will be. The noble Lord opposite, astonished at his own moderation, named 1s. as a likely average rise in the price of coal, and stated, with his usual humour, his reasons for not accepting the 5s. estimate which I am sorry to say has been sown broadcast about the country. I should very much dislike to prophesy, but I should be inclined to think that there are a great many coalowners who, if they could get a contract at 3d. or 6d. more in respect of this Bill having been passed, would be perfectly pleased to take it. I know I shall not be followed by any noble Lord interested in the coal trade but, if I were, I should like to hear his views on that subject.

One argument is pretty clear. If this measure were going to produce a coal famine the mine-owners would undoubtedly regret it, but I do not think we should find them opposing the measure, because, as everybody knows, the profits which accrue in a period of high prices to a coal-owner are so enormous, in some cases almost fabulous, that I can hardly believe we should find the mine-owners as a class, or, indeed, any great number of them, opposing the Bill. To say that they do now oppose it as a class would not, I think, be the fact. I think there are some mine-owners who are afraid that the cost of production may be in some degree increased to an extent which they may not be able to get back from the consumer, but that is another question altogether. That is a matter as between mine-owner and miner, or, more often, as between mine and mine. If that be so, it is obvious that the theory of the increased cost to the consumer falls to the ground. Much has been said as to how this increase is likely to be avoided. We have heard about various improved methods which may be employed to reduce the liability. I think there can be no dispute that in a great many parts of England large sums of money have been laid out in improving both winding arrangements and hauling arrangements in view of the fact that this Bill was likely to become law. That is one of the facts which will tend to diminish the dislocation. Then undoubtedly in some cases shafts have been sunk. The noble Marquess opposite mentioned a very important shaft on his property which, as he said, had taken nine years to sink and which had cost a great deal of money, but the noble Marquess will not pretend, I know, that all shafts take as long as that to sink or cost anything like that sum.

THE MARQUESS OF LONDONDERRY: I do not think it could be done cheaper if you had to find coal at a great depth.

*THE EARL OF CREWE: I quite agree that under the same circumstances the cost would undoubtedly be the same, but there are a great number of collieries in which shafts can be sunk, and are being sunk, in very much shorter time and at very much less cost than mentioned by the noble Marquess. Then coal-cutters were referred to. The noble Lord who moved the rejection of the Bill asked if we supposed that all coal-owners were fools, and said that if these improvements in machinery and methods would really reduce the cost of production they would in all cases be employed. But surely it is the fact that changes of that kind are introduced under pressure of some sort or another, either under pressure of trade competition or such legislation as this. Everything of that kind stimulates invention, and it is on that account, as the noble Lord very well knows from his familiarity with the tariff controversy, that one of the objections which we make to a protective system is that it fails to stimulate that freedom of invention on which we rely to some extent in this case.

Then it is said—and I think very truly said—that the passing of this Bill will lead to greater regularity of employment. I believe it to be true, as Lord Newton has said, that the miner is almost the only man who goes to work practically when he pleases, and there are no effective means of making him come in at any particular moment if he does not desire to do so. The idea which the noble Lord conveyed, that the work is so hard that you cannot expect a man to work at it more than the number of days he works now, seems to be something of a contradiction as regards the extreme charm and healthiness of the employment. But, passing from that, it is the fact, I think, that among the younger men engaged in mining there is a greater desire to work regularly, and I know that this is very much welcomed by the wiser heads who control the miners' organisation. What has so often happened in the past when there has been a rise in wages is that the men have not taken it in the form of money, but in the form of leisure. I believe there is a tendency for irregularity of working, which I regard as an unfortunate trait, to diminish; and to that greater regularity of employment which we believe will be helped by this Bill we must look as a considerable element in meeting the difficulty of a possible reduction of output.

Then noble Lords rather pooh-poohed the idea of other labour coming into the mines. I will not go into figures, but, as a matter of fact, the number of people engaged in the industry is increasing at a very remarkable rate. Whether they are agricultural labourers or who they may be I do not know, but they do increase by many thousands a year, and with time, such as is given by this Bill, I should hope that in a great many districts there is every prospect that the extra supply of men necessary for a double shift system, where it is to be employed, will be forthcoming. The noble Viscount said it was hardly fair, and I quite agree with him, to charge the miners with only caring for this measure because it might reduce output and thereby raise their wages. I believe a great many of them think it would to some degree steady output and the general conditions of the market, and I have no doubt that we should all welcome this.

The noble Marquess opposite indicated that there were two sets of points on which he proposed to ask your Lordships to amend the Bill. The first had relation to the inequality of the operation of the Bill as it stands under different conditions. The noble Marquess, I have no doubt on purpose, and very properly, did not indicate in any way what form his Amendment in that direction would take, and therefore I do not inquire at this moment whether he desires that something of the kind should be brought about through different arrangements in different localities or through different arrangements in different classes of mines—whether a distinction should be made between older and newer mines, or on what line the Amendment will work. I pass from that to the second set of Amendments which the noble Marquess indicated, dealing with the second winding. I understand that the argument which the noble Marquess and others use is that as far as possible this Bill ought to be made final as regards its provisions; that is to say, that the change proposed by us at the end of five years is an undesirable thing, because it would unsettle the industry again and cause dislocation at the end of that period. I do not know whether it is necessary to explain that it was in order to avoid that very dislocation that my right hon. friend the Home Secretary inserted this provision in the Bill. He, I have no doubt, thought that if the second winding had to be included some years hence, there might be a demand for doing so under hurried conditions, and that it would thus be infinitely more inconvenient to the trade than if done with five years' notice. It is a pure matter of opinion whether my right hon. friend was right or not. But it is perfectly clear that his object in including this provision was that the matter should be settled once for all, not in point of time, but in point of legislation, on the ground, as I say, that if fresh legislation is proposed at some future time there might not be the same full notice as is provided under the Bill as it stands.

You have, on the one hand, this strong, I do not say universal, demand on the part of the miners, a demand which at any rate shows no dissentient voice, though I do not say that all the miners are equally enthusiastic about it. It is quite clear from the speeches that have been made by noble Lords from the County of Durham that a Durham hewer, at any rate, cannot regard this Bill with any very marked enthusiasm. Miners from other districts might tell you that the Durham hewer has been rather the spoilt child of the trade, and that this is not very much to ask of him, even if he has to work half an hour longer in consideration that the hours of many of his fellows in various parts of England and Wales may thereby be proportionately reduced. But I do say that the demand does come from those who work in mines as a class, and, as I have had every reason to know for many years past, it is a very strong, genuine, and deeply-felt demand. On the other hand we say that the economic objections have been enormously exaggerated. We doubt if it is possible to prove—I do not know that anybody has claimed to have proved it, although they may say they are sure of it—that any considerable rise in the price of coal in any district is likely to be the consequence of the Bill, and I think noble Lords must admit that we have tried to safeguard the measure in every way we could from the risk of that disturbance.

My own belief is that, after the Bill has been law for a few years, perhaps within the five years we have named—the controversies which have ranged about it elsewhere and to-night will be forgotten, just as so many controversies arousing strong feeling have been before. Everybody, I think, to-night must have heard with pleasure the testimony from every quarter of the House of the character of the men who work in the mines—testimony which is unanimous on the part of everyone who has been brought into close association with them, whatever their views of this particular Bill. I have had many personal friends among them, and I value them highly. I can assure your Lordships that if you had rejected this Bill there would have been a very bitter disappointment among that admirable class of men, and I also firmly believe that consequences might have followed infinitely more dislocating to the coal trade than any which are likely to follow from the Bill itself.

On Question, "That the word 'now' stand part of the clause,"—

Their Lordships divided:—Contents 121; Not-contents, 44.

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Stalbridge, L.
Stewart of Garlies, L. (*E. Galloway.*)
Wemyss, L. (*E. Wemyss.*)
Wigan, L. (*E. Crawford.*)
Zouche of Haryngworth, L.

Bill read 2^{a} accordingly, and committed to a Committee of the Whole House on Thursday next.

PREVENTION OF CRIMES BILL.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."—(*Earl Beauchamp.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of Onslow in the Chair.]

Clause 1:

Earl BEAUCHAMP moved to amend subsection (1)—

> "(1) Where a person is convicted on indictment of an offence for which he is liable to be sentenced to penal servitude or imprisonment, and it appears to the Court: (*a*) That the person is not less than sixteen nor more than twenty-one years of age; and (*b*) that, by reason of his antecedents or mode of life, it is expedient that he should be subject to detention, for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime; it shall be lawful for the Court, in lieu of passing a sentence of penal servitude or imprisonment, to pass a sentence of detention under penal discipline in a Borstal institution for a term of not less than one year nor more than three years,"

by omitting from Paragraph (*b*) the words "antecedents or mode of life," and substituting the words "criminal habits or tendencies, or association with persons of bad character." It was thought that these words were better as a direction to the Court as to the persons to be sent to the Borstal institution.

Amendment moved—

"In page 1, line 12, to leave out the words 'antecedents or mode of life,' and to insert the words 'criminal habits or tendencies, or association with persons of bad character.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

EARL BEAUCHAMP moved an Amendment providing that before passing such a sentence the Court should consider any report or representations which might be made to it by or on behalf of the Prison Commissioners as to the suitability of the case for treatment in a Borstal institution. He thought their Lordships would see the desirability of the Court considering any report or representations of the kind referred to.

Amendment moved—

"In page 1, line 21, after the word 'shall,' to insert the words 'consider any Report or representations which may be made to it by or on behalf of the Prison Commissioners as to the suitability of the case for treatment in a Borstal institution, and shall.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2:

THE EARL OF MEATH moved to omit Clause 2 and to insert a new clause. By the clause in the Bill it was provided that where a youthful offender sentenced to detention in a reformatory school was convicted of committing a breach of the rules of the school, or of inciting to such a breach, or of escaping from such a school, the Court might, in lieu of sentencing him to imprisonment, sentence him to detention in a Borstal institution. A Borstal institution was a place where an offender was treated in a much more lenient manner than in a reformatory. He had no objection whatever to boys and girls who misbehaved themselves in reformatories being sent to Borstal institutions; as a matter of fact, he would prefer reformatory institutions being abolished and Borstal institutions substituted in their place. But he thought it was a little unjust and decidedly unwise to place a premium upon insubordination, for that was what the provision in the Bill now amounted to. Youthful offenders who committed further offences while in the reformatory were to be permitted to enjoy all the amenities of the Borstal institution. The object of his Amendment was to place all on the same footing.

Amendment moved—

"To leave out Clause 2, and to insert the following new clause: 'The Secretary of State may, if satisfied that a person sentenced to detention in a reformatory school, whether before or after the passing of this Act, being within the limits of age within which persons may be detained in a Borstal institution might with advantage be detained in a Borstal institution, authorises the managers of the reformatory school in which such person is being detained to transfer him from such reformatory school to a Borstal institution, there to serve the whole or any part of the unexpired residue of his sentence, and whilst detained in or placed out on licence from such an institution, this Part of this Act shall apply to him as if he had been originally sentenced to detention in a Borstal institution.'"—(*The Earl of Meath.*)

EARL BEAUCHAMP could not accept the Amendment. He thought the noble Earl had somewhat misunderstood the purpose of the Borstal institution. They were not really suitable places of detention for those whom the noble Earl wished to send there. Borstal institutions were not intended for young offenders whose previous character had been good; and their pleasant side, to which the noble Earl had alluded, referred more to their results than to the actual conditions of life within them. The Amendment would strike a great blow at the whole idea of Borstal institutions, and he hoped it would be withdrawn.

Amendment, by leave, withdrawn.

Clause 2 agreed to.

Clause 3:

EARL BEAUCHAMP, on behalf of Lord Courtney of Penwith, moved an Amendment in this clause. The clause provided that if satisfied that a person "sentenced, whether before or after the passing of this Act, to penal servitude or imprisonment" might, with advantage, be detained in a Borstal institution, the Secretary of State could authorise the Prison Commissioners to transfer such person from prison to a Borstal institution. He moved to leave out the words "sentenced, whether before or after the passing of this Act, to penal servitude or imprisonment," and to substitute "undergoing penal servitude or imprisoned in consequence of a sentence passed either before or after the passing of this Act."

Amendment moved—

"In page 2, lines 28 and 29, to leave out the words 'sentenced, whether before or after the passing of this Act, to penal servitude or imprisonment,' and to insert the words 'undergoing penal servitude or imprisoned in consequence of a sentence passed either before or after the passing of this Act.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

EARL BEAUCHAMP moved an Amendment empowering the Secretary of State to make regulations not only for the rule and management of any Borstal institution, but also as to the constitution of a visiting committee.

Amendment moved—

"In page 3, line 11, after the word 'institution,' to insert the words 'and the constitution of a visiting committee thereof.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5:

EARL BEAUCHAMP moved to add to subsection (5) power to enable a Court of Summary Jurisdiction to commit to any prison within the jurisdiction of the Court until the person on licence could conveniently be removed to the institution. He explained that a person who had got out of a Borstal institution might be apprehended a long way off, and the question arose as to where he should be kept until he could be got back again to the institution. The Amendment met that point.

Amendment moved—

"In page 4, line 10, after the word 'institution,' to insert the words 'and may commit him to any prison within the jurisdiction of the Court until he can conveniently be removed to the institution.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 5, as amended, agreed to.

New clause:

EARL BEAUCHAMP moved to insert, after Clause 5, a new clause which subjected persons on the determination of their sentence in a Borstal institution to supervision by the Prison Commissioners for a period of six months. He explained that this followed the course which their Lordships had already approved in the Children Bill.

Amendment moved—

"To insert the following new clause: '(1) Every person sentenced to detention in a Borstal institution shall on the expiration of the term of his sentence remain for a further period of six months under the supervision of the Prison Commissioners. (2) The Prison Commissioners may grant to any person under their supervision a licence in accordance with the last foregoing section, and may revoke any such licence and recall the person to a Borstal institution, and any person so recalled may be detained in a Borstal institution for a period not exceeding three months, and may at any time be again placed out on licence. Provided that a person shall not be so recalled unless the Prison Commissioners are of opinion that the recal is necessary for his protection, and they shall again place him out on licence as soon as possible and at latest within three months after the recall. (3) A licence granted to a person before the expiration of his sentence of detention in a Borstal institution shall, on his becoming liable to be under supervision, in accordance with this section, continue in force after the expiration of that term, and may be revoked in manner provided by the last foregoing section. (4) The Secretary of State may at any time order that a person under supervision under this section shall cease to be under such supervision.'"—(*Earl Beauchamp.*)

EARL RUSSELL inquired whether he was correct in assuming that this clause imposed by statute an additional sentence of six months beyond the sentence passed by the Court.

Lord ALVERSTONE said the noble Earl had called attention to a point which would have to be considered by the Home Office. As the Amendment was now framed, it would appear that after the expiration of the term of sentence there could be a recall to prison. Perhaps the point would be looked into before the Report stage.

Earl BEAUCHAMP said the point should be considered before the Report stage. He thought it would be as well, however, if the Amendment were agreed to in the meantime.

On Question, Amendment agreed to.

Clauses 6 to 8 agreed to.

Clause 9 :

Lord ASHBOURNE moved an Amendment empowering the Court to pass sentence of preventive detention where the prisoner pleaded guilty to being a habitual criminal.

Amendment moved—

"In page 5, line 8, after the word 'offender,' to insert the words 'admits that he is or.'"—(*Lord Ashbourne.*)

Earl BEAUCHAMP accepted the Amendment.

On Question, Amendment agreed to.

*Lord KINNAIRD moved to amend subsection (1)—

"(1) Where a person is convicted on indictment of a crime, committed after the passing of this Act, and subsequently the offender is found by the jury to be a habitual criminal, and the Court passes a sentence of penal servitude, the Court, if of opinion that by reason of his criminal habits and mode of life it is expedient for the protection of the public that the offender should be kept in detention for a lengthened period of years, may pass a further sentence ordering that on the determination of the sentence of penal servitude he be detained for such period not exceeding ten nor less than five years, as the Court may determine, and such detention is herein-after referred to as preventive detention, and a person on whom such a sentence is passed shall, whilst undergoing both the sentence of penal servitude and the sentence of preventive detention, be deemed for the purposes of the Forfeiture for Felony Act, 1870, and for all other purposes, to be a person convicted of felony,"

by inserting, at the beginning of the subsection, after the words "passes a sentence of penal servitude," the words "or imprisonment." He explained that this Amendment would make the power the same as in Clause 1. The object was to enable a person to be dealt with in this way whose offence did not justify a very severe sentence, but whom it was desirable should be detained.

Amendment moved—

"In page 5, line 9, after the word 'servitude,' to insert the words 'or imprisonment.'"—(*Lord Kinnaird.*)

Earl RUSSELL supported the Amendment. He thought it contrary to the general course of legislation nowadays not to leave the matter to the discretion of the Judge. As the clause stood, a Judge could not send a habitual criminal to preventive detention at all unless he was prepared to preface it by a sentence of at least three years penal servitude. He thought the provision as it stood would place a difficulty in the way of Judges in passing this sentence.

Earl BEAUCHAMP could not accept the Amendment. Lord Kinnaird appeared to be under some misapprehension as to the character of the people intended to be sentenced to periods of preventive detention. Clause 1 dealt with Borstal institutions, but in the present clause they were dealing with the habitual and hardened offender. There was, therefore, no parallel between the two clauses. The Government were anxious to begin, at any rate, by providing that the period of detention should be confined to really hardened criminals, and they could not have a better definition of a hardened criminal than that he had been sentenced by a Judge to penal servitude. The Amendment struck at the foundation of this part of the Bill, and would make its administration quite impossible for several years to come.

Lord ALVERSTONE, while sympathising with the Amendment, thought the view taken by His Majesty's Government was quite right, at any rate in the present state of matters. It would be, as the noble Earl had said, impossible to work the detention part of the Bill if all persons sentenced to imprisonment were supposed to come under that jurisdiction. The accommodation would not be sufficient, and he was quite satisfied that the Government were right in not at present so largely extending the operation of the Bill as Lord Kinnaird proposed.

Amendment, by leave, withdrawn.

Drafting Amendments agreed to.

Earl BEAUCHAMP moved the addition of a new subsection.

Amendment moved—

"In page 6, line 15, after the word 'charge,' to insert the following new subsection: '(5) Without prejudice to any right of the accused to tender evidence as to his character and repute, evidence of character and repute may, if the Court thinks fit, be admitted as evidence on the question whether the accused is or is not leading persistently a dishonest or criminal life.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10 agreed to.

Earl BEAUCHAMP moved to insert, after Clause 10, a new clause designed to allow the Home Secretary in certain cases to commute part of a long term of penal servitude and sentence the prisoner to a year of preventive detention.

Amendment moved—

"After Clause 10, to insert the following new clause: 'Where a person has been sentenced, whether before or after the passing of this Act, to penal servitude for a term of five years or upwards, and he appears to the Secretary of State to have been a habitual criminal within the meaning of this Act, the Secretary of State may, if he thinks fit, at any time after three years of the term of penal servitude have expired, commute the whole or any part of the residue of the sentence to a sentence of preventive detention, so, however, that the total term of the sentence when so commuted shall not exceed the term of penal servitude originally awarded.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 11:

Earl RUSSELL moved a new subsection providing that persons undergoing preventive detention should "enjoy the ameliorating and humanising influences of conversation with fellow-prisoners, reading and writing, visits from approved friends, and windows permitting a view of the sky." The only statutory guarantee given as to the way in which persons undergoing preventive detention were to be treated was the provision in subsection (3) of Clause 11, to the effect that persons undergoing preventive detention should be subjected to such disciplinary and reformative influences, and should be employed on such work as might be best fitted to make them able and willing to earn an honest livelihood on discharge. So far as he understood, the only justification for the detention of these persons beyond the period of the ordinary sentence was the protection of society, and, therefore, they should, he submitted, enjoy greater comfort than usually obtained in a prison which was purely punitive. If the person detained was allowed to enjoy the influences referred to in the Amendment it would tend to make him a better member of society at the termination of his sentence. The provision in subsection (3), to which he had referred, had to be administered by the same persons as administered the ordinary punitive system, and he had great apprehension that the treatment would not be sufficiently differentiated.

Amendment moved—

"In page 7, line 6, after subsection (3) to insert the following new subsection: '(4) So far as is consistent with the requirements of discipline and the maintenance of order persons undergoing preventive detention shall enjoy the ameliorating and humanising influences of: (1) Conversation with fellow prisoners; (2) reading and writing; (3) visits from approved friends; (4) windows permitting a view of the sky.' "—(*Earl Russell.*)

Earl BEAUCHAMP said that the Secretary of State had a great deal of sympathy with this Amendment, but in the opinion of the Home Office the subject should be dealt with rather by rule. Provision had been made in the rules as to conversation and reading and writing. But the sanction of "visits from approved friends" was a more difficult subject. These prisoners would be chiefly habitual criminals, and the chances were that they would be visited by people of the same type. Great care must therefore be taken. The provision of windows permitting a view of the sky was a subject that was being considered, and, indeed, the scheme was being introduced in the construction of a new prison.

LORD ALVERSTONE hoped Earl Russell would be satisfied with what the Lord Steward had said. From his experience of what was being done in this matter, he was quite sure that the noble Earl could safely leave it in the hands of the Home Office. It was being borne in mind in connection with prisons all over the country.

Amendment, by leave, withdrawn.

Clause 11 agreed to.

Clause 12:

EARL BEAUCHAMP moved the omission of subsection (8)—

"(8) The Annual Report of the Directors of convict prisons shall state, as regards each person undergoing preventive detention, the place where he is detained, the date at which his term of preventive detention commenced, the number and dates of his previous convictions, together with the crimes which led up to them, and such other particulars as the Secretary of State may consider desirable in the public interest."

This subsection, he said, was inserted at the time when it was thought that the sentence under the Bill would be very much longer. That provision, however, was amended in Committee, and therefore, there was not now the same need for this subsection.

Amendment moved—

"In page 8, lines 12 to 18, to leave out subsection (8)."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13:

EARL BEAUCHAMP moved to add to subsection (4), which provided that a Court of Summary jurisdiction might issue a warrant for the arrest of a prisoner whose licence had been forfeited and order him to be remitted to preventive detention, the words "and may commit him to any prison within the jurisdiction of the Court until he can conveniently be removed to a prison or part of a prison set apart for the purpose of the confinement of persons undergoing preventive detention."

Amendment moved—

"In page 8, line 41, after the word 'detention,' to insert the words 'and may commit him to any prison within the jurisdiction of the Court until he can conveniently be removed to a prison or part of a prison set apart for the purpose of the confinement of persons undergoing preventive detention.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 14, agreed to.

Clause 15:

Drafting Amendments agreed to.

Clause 15, as amended, agreed to.

Remaining clauses agreed to.

Standing Committee negatived. The Report of Amendments to be received To-morrow, and Standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. [No. 258.]

EDUCATION (SCOTLAND) BILL.

Read 3^a (according to Order), with the Amendments, and passed, and returned to the Commons.

WHITE PHOSPHORUS MATCHES PROHIBITION BILL.

Read 3^a (according to Order), and passed.

LOCAL REGISTRATION OF TITLE (IRELAND) AMENDMENT BILL.

Amendment reported (according to Order), then Standing Order No. XXXIX. considered (according to Order), and dispensed with. Bill read 3^a with

Amendment, and passed, and returned to the Commons.

BUXTON CHARITY BILL.
LONG ASHTON CHARITY BILL.
ABBOTS BROMLEY CHARITY BILL.

House in Committee (according to Order). Bills reported without Amendment. Standing Committee negatived, and Bills to be read 3^a To-morrow.

House adjourned at half-past Twelve o'clock a.m., till a quarter past Four o'clock p.m.

HOUSE OF COMMONS.

Tuesday, 15th December, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, No. 4173 [by Command]; to lie upon the Table.

DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND.

Copy presented, of Report on the Trade in Imports and Exports at Irish Ports during the year ended 31st December, 1907 [by Command]; to lie upon the Table.

DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND.

Copy presented, of Eighth Annual General Report of the Department, 1907–8 [by Command]; to lie upon the Table.

FISHERIES (IRELAND).

Copy presented, of Reports of the Department of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland (Part II. Scientific Investigations) for the years 1906, 1907, and 1908 [by Command]; to lie upon the Table.

WEST HIGHLAND RAILWAY (EXTENSION FROM BANAVIE TO MALLAIG).

Copy presented, of Seventh Annual Report by the Board of Trade as to the condition and working of the Banavie and Mallaig Railway, the rates and charges for traffic, and the receipts and expenditure of any Company in working the Railway, for the year 1907–8 [by Act]; to lie upon the Table, and to be printed. [No. 365.]

EAST INDIA (CRIMINAL LAW AMENDMENT ACT).

Copy presented, of a full text of the Indian Criminal Law Amendment Act, 1908 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Introduction of Penny "Post-Telegrams.'

MR. SUMMERBELL (Sunderland): To ask the Postmaster-General, in view of the continuous deficit in our telegraphic system, if his attention has been called to the introduction of penny post-telegrams, *i.e.*, telegrams sent over the wires to fall into the next delivery by postmen on reaching their destination at, say, ten words for 1d. and ½d. for each additional word; and whether, seeing that such a scheme would have large commercial possibilities and would be a boon to the public and the trader he is prepared to favourably consider the matter.

(*Answered by Mr. Sydney Buxton.*) I am not prepared to adopt the suggestion to which the hon. Member refers. The large loss of revenue by reduction of the initial charge for a telegram from 6d. to 1d. would be only in a very slight degree recovered by any saving that might be possible in the boy messenger staff in towns. In the case of telegrams for country districts, where the cost of special delivery is somewhat more appreciable, the scheme would often be largely inoperative because the postmen start before the telegraph offices are open in the morning. The suggestion is probably based on erroneous statements regarding a system of "letter telegrams" recently introduced experimentally in

France. The minimum charge for these letter telegrams is 5d. and the service is subject to considerable limitations and restrictions.

Unestablished Postal Duty at Kildwick, Yorkshire.

MR. SNOWDEN (Blackburn): To ask the Postmaster-General whether he is aware that a postman's walk at Kildwick, Yorkshire, occupying seven hours or more daily, has been performed for many years by an unestablished postman who has now retired; and whether it is his intention to turn this into an established walk, in accordance with his expressed desire to reduce auxiliary labour in the Post Office, and the departmental evidence tendered to the Hobhouse Committee to the effect that a postman's duty of more than six hours a day was bound to be an appointed one.

(*Answered by Mr. Sydney Buxton.*) The duty in question does not exceed six hours a day, of which about five hours are occupied in walking. Under these circumstances the duty will for the present be maintained as an unestablished post. I may, however, state that the man now employed is not eligible for an established appointment.

Dining Accommodation for Lombard Street Post Office Staff.

MR. B. S. STRAUS (Tower Hamlets, Mile End): To ask the Postmaster-General whether he is aware that the Lombard Street Post Office has been temporarily removed to other premises and that no provision has been made for any dining arrangements for the staff; and, seeing that the removal is estimated to extend upwards of six months, whether he will consider the question of making some arrangements for meals on the temporary premises during this period.

(*Answered by Mr. Sydney Buxton.*) It is not practicable to make any arrangements for meals at the temporary office, but the facilities for obtaining meals in the immediate neighbourhood are so ample that no practical inconvenience is caused to the staff.

International Opium Commission—Terms of Reference.

MR. THEODORE TAYLOR (Lancashire, Radcliffe): To ask the Secretary of State for Foreign Affairs whether he can now give the House the Terms of Reference of the International Opium Commission which is to meet in Shanghai in February next.

(*Answered by Secretary Sir Edward Grey.*) The United States Government have communicated to us the terms of their instructions to their delegates. These instructions are as follows: (1) To devise means to limit the use of opium in the possessions of this country; (2) to ascertain the best means of suppressing opium traffic, if such now exists among the nationals of this Government in the Far East; (3) to be in a position so that when the Commission meets at Shanghai our representatives may be prepared to co-operate with the representatives of participating Powers, and with them to offer definite suggestions of measures which these Governments may adopt for the gradual suppression of opium cultivation, traffic, and use within their Eastern possessions, thus assisting China in her purpose of eradicating the evil from her Empire; (4) to be able to inform the whole Commission when it assembles regarding regulations and restrictions in force at present in this country, and to formulate and discuss proposals for amending such regulations in points in which they may be found, in the course of the joint investigation, to affect the production, commerce, use, and disadvantages of opium in the Far East." The British delegates are being furnished with instructions on similar lines, but it is not known how far this basis has been accepted by the other participating Government for the guidance of their delegates.

Pay of Christmas Casual Sorters at South-Eastern District Parcels Office.

MR. BOWERMAN (Deptford): To ask the Postmaster-General whether men are being engaged at the South-Eastern Parcels Office, Union Street, E.C., at wages less than 24s. per week; and whether he will take steps to bring the wages of these men in harmony with the promise given by the Prime Minister on 26th October last.

(*Answered by Mr. Sydney Buxton.*) The only officers at the South-Eastern Parcel Office to whom the hon. Member's Question can refer are the Christmas casual sorters during the short period of training. These men have to acquire some knowledge of sorting before any practical use can be made of their services. For a few days they are paid at the rate of 20s. a week. After passing the test, they are paid at the rate of 24s. a week.

Dwellings erected under the Small Holdings Act, 1907.

MR. LEVY LEVER (Essex, Harwich): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if, having regard to the continued depopulation of the country districts owing to the dearth of cottage accommodation, he will state the number of dwelling-houses that have been erected by virtue of the Small Holdings and Allotments Act, 1907, and in what districts.

(*Answered by Sir Edward Strachey.*) The following table gives the information for which my hon. friend asks —

County.	District.	Particulars of Buildings to be effected.
England :—		
Cambridge - - -	Milton	Houses and buildings.
Cheshire - - -	Ledsham	Twenty-two houses.
Cornwall - - -	Mabe	House.
Gloucestershire - -	Coombe Hill	Cottage.
Isle of Wight - -	Carisbrooke	House.
Lincoln (Holland) -	Deeping St. Nicholas	Four cottages.
Lincoln (Kesteven) -	North Ranceby	Two cottages.
do. - -	Walcot and Digby Fen	Four cottages.
Staffordshire - -	Bridgeford	Two houses.
Worcestershire - -	North and Middle Littleton	House.
Wales :—		
Denbighshire - - -	Llangynhefal	House and buildings.
do. - -	Henllan	Two houses.
Montgomery - - -	Caersws	House and buildings.
Radnor - - - -	Llanyre	Ditto.

The above table does not include adaptation and sub-division of existing houses.

Taxation of Natives of the Congo.

Sir GILBERT PARKER (Gravesend): To ask the Secretary of State for Foreign Affairs whether his attention has been directed to the official Budget for the Congo issued by the Belgian Government, in which the estimated yield from the taxes on rubber and other natural products levied upon the natives is shown to be equal in amount to the revenue derived from the same source under the former administration, which the Secretary of State has described as slavery; and whether he can say if it is to be inferred from these Estimates that there is no intention of diminishing the crushing burden imposed upon the native population.

(*Answered by Secretary Sir Edward Grey.*) My attention has been directed to this point, but it would be premature to draw any inference from it as to the policy which the Belgian Government intend to pursue in the matter of reforms before the discussion on the Congo Budget in the Belgian Parliament, which will give the Belgian Government the natural opportunity for explaining their intentions.

Conditions of Factory Life in India.

Mr. SHACKLETON (Lancashire, Clitheroe): To ask the Under-Secretary of State for India whether the Government of India have decided to take any action as a result of the recommendations of the Royal Commission appointed to inquire into the hours of labour and other conditions of factory life in India; and will the recommendations of Sir Hamilton Freer-Smith's Committee, on the same subject, be also taken into consideration by the Government of India.

(*Answered by Mr. Buchanan.*) The Government of India are awaiting the opinions of the local governments, to whom the Report of the Commission has been referred, before deciding as to the action to be taken on the recommendations contained therein. The recommendations of Sir Hamilton Freer-Smith's Committee will undoubtedly be considered in connection with the Commission's Report.

Imprisonment of Chinese Coolies in the Transvaal.

Mr. SUMMERBELL: To ask the Under-Secretary of State for the Colonies if he can state the number of Chinese coolies convicted of crime in the Transvaal during the past two years; whether those sentenced to long terms of imprisonment are allowed to go free before the completion of their sentences at the date on which their engagement for the mines expires; and, if so, whether, in view that such acts as an encouragement to the committal of crime, he will take steps for the discontinuance of the same, and will he state the number of those so liberated.

(*Answered by Colonel Seely.*) I am not in possession of the figures asked for, nor am I aware that any Chinese have been liberated in the way suggested. Under the labour importation laws the Government has power to send back to China labourers convicted of any offence, and sentenced to imprisonment without the option of a fine, either during the period of imprisonment or on the expiration thereof, and this power has, I know, been exercised in many cases.

Development of Irish Industries.

Mr. FIELD (Dublin, St. Patrick): To ask the Vice-President of the Department of Agriculture (Ireland) whether he will consider the expediency of establishing within the Department of Agriculture and Technical Instruction in Ireland a special section under an independent board of business men and manufacturers, with adequate funds at their disposal for the development of industries, the carrying out of experiments on the raw material available in Ireland, the formation of a foreign inquiry office with a view to securing markets for the existing industries, the establishing of a central technical institute where instruction might be given in industries capable of development, and also inviting the co-operation of the Irish industrial development associations.

(*Answered by Mr. T. W. Russell.*) Many of the operations referred to in the Question are, to a considerable extent, already carried on through the agency of the Department and the various technical institutions in connection therewith. The establishment of a special section of the nature referred to depends largely on financial considerations. The Department have, at present, no funds for the purpose, all the moneys at their disposal being fully hypothecated.

Women Inspectors and Examiners under the Board of Education.

Mr. COOPER (Southwark, Bermondsey): To ask the President of the Board of Education whether any, and, if any, how many, women general inspectors or examiners in the elementary education branch, the training of teachers and higher elementary schools division, or inspectors of elementary schools, secondary schools and technical institutes, and evening schools, are employed in his Department; and will he give the number in each branch.

(*Answered by Mr. Runciman.*) I must refer my hon. friend to the Answer I gave to this Question on 11th November last, to which I need only now add that the services of the women inspectors are not restricted to any one branch of the Board's work or to any particular grade of schools. There are no women examiners at the Board of Education.

Irish Education Rates.

Mr. SLOAN (Belfast, S.): To ask the Secretary to the Treasury if he is aware that in 1892 the Chancellor of the Exchequer fixed the proportion of education grants for England, Scotland, and Ireland as £80 11s. 9d.; whether this proportion was sanctioned by the Treasury and the House of Commons, and when it was found in 1895 that Ireland had not received her equivalent the arrears due were paid; whether in 1902, on the passing of the English Education Act of that year, an equivalent was acknowledged to be due to Scotland and Ireland, and the amount voted to these countries; whether by the Act of 1892 school fees were almost entirely abolished in Ireland and the Act of 1898 prevented Poor Law unions from contributing any money from the rates to education, thus, by these Acts of Parliament, taking away all local support from schools; whether the Government alone has power to give Ireland authority to raise money locally for education; and, having thus assumed entire responsibility for Irish education, what steps will be taken to give Irish children equal educational facilities with children in Great Britain.

(*Answered by Mr. Hobhouse.*) The Irish school fee grant under the Act of 1892 was originally fixed roughly on the basis stated. It is true that "arrears" were subsequently granted calculated on another basis. The additional grant to Scotland for the year 1903–4 and the Ireland development grant, corresponding to the additional English grant under the Act of 1902, were calculated on the basis of population. The Ireland development grant was given as a final settlement of Ireland's claim under this head, and was fixed by the Ireland Development Grant Act, 1903. I have no information on the remaining points raised in the Question, which concern my right hon. friend the Chief Secretary to the Lord-Lieutenant.

Increase Grant to cover Cost of Collection Local Taxation Licences.

Mr. SUMMERBELL: To ask Mr. Chancellor of the Exchequer in view of the transfer of the duties in connection with local taxation licences from the Inland Revenue to municipal bodies, whether, in case of the grant made by Parliament not being sufficient to cover the cost to such bodies, he is prepared to give consideration to such cases by making an increased grant, and so as to make up any deficit.

(*Answered by Mr. Lloyd-George.*) As I stated in my reply to a Question by the hon. Baronet the Member for the Uxbridge Division on the 7th instant, if the grant which is at present made to county councils is found, after due trial, to be inadequate, I shall be glad to consider any representations on the subject which may be made to me.

Production of English, Irish, and Scottish Distilleries.

Sir J. DEWAR (Inverness): To ask Mr. Chancellor of the Exchequer whether he can state the respective total production during the years 1904, 1905, 1906, and 1907, of the distilleries of England, Scotland, and Ireland, classifying the distilleries of each country under the headings of distilleries using pot stills only, distilleries using patent stills only, and distilleries using both pot and patent stills.

(*Answered by Mr. Lloyd-George.*)—Table showing the Total Production of Spirits in the Distilleries of England, Scotland, and Ireland during the years ended 30th September, 1904, 1905, 1906, and 1907, respectively, the Distilleries of each country being classified under the headings of: (1) Distilleries using Pot Stills only; (2) Distilleries using Patent Stills only; and (3) Distilleries using both Pot and Patent Stills—

Country.	1904.			1905.		
	Distilleries using pot stills only.	Distilleries using patent stills only.	Distilleries using both pot and patent stills	Distilleries using pot stills only.	Distilleries using patent stills only.	Distilleries using both pot and patent stills.
	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.
England -	—	8,317,669	3,667,015	—	8,618,625	3,907,978
Scotland -	11,440,981	10,146,083	4,786,493	11,455,712	8,438,833	4,185,107
Ireland -	3,229,905	1,650,962	7,961,226	3,344,025	2,905,754	5,891,3 4

Country.	1906.			1907.		
	Distilleries using pot stills only.	Distilleries using patent stills only.	Distilleries using both pot and patent stills.	Distilleries using pot stills only.	Distilleries using patent stills only.	Distilleries using both pot and patent stills.
	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.	Gallons at proof.
England -	—	8,922,607	3,958,040	—	9,415,663	4,114,034
Scotland -	10,903,276	9,296,841	3,740,629	10,510,438	10,750,677	3,966,443
Ireland -	3,567,324	3,071,934	5,773,413	3,593,174	2,831,673	5,540,934

Superannuation Allowance of the Clerk of the Crown and Peace in Ireland.

MR. WALDRON (Dublin, St. Stephen's Green): To ask Mr. Chancellor of the Exchequer whether Section 4 of the Superannuation Act, 1859, applies to the office of Clerk of the Crown and Peace in Ireland; whether the Treasury are empowered, when any person holding such office retires, to add a certain number of years to those actually served in the situation in computing the amount of superannuation allowance; whether any precedent exists whereby a person holding the office of Clerk of the Crown, Clerk of the Peace, or the conjoint office, has received a pension with the addition of years under Section 4; whether a Treasury Minute, dated 30th December, 1888, was issued to State Departments declaring that the grant of additional years would be superseded in the case of any officer appointed after 30th November, 1888; is he aware that the then Chancellor of the Exchequer undertook to Parliament on 30th November, 1888, that existing officers would not be affected by the new regulation; have the Treasury, notwithstanding the promise made by the Chancellor of the

Exchequer in 1888, without the authority of any statute such as it was then stated would be introduced, and without notice to existing officers prior to resignation applied the Minute of 20th December, 1888, to persons then actually excluded from it; and has he sanctioned this departure from the undertaking of his predecessor given through the House of Commons to existing officers.

(*Answered by Mr. Lloyd-George.*) The answer to the first, second, third, and sixth Questions is in the negative. The Minute referred to in the fourth Question is not applicable to the office in question, which has never been brought under the section. The answer to the fifth Question is in the affirmative; and the answer to the seventh Question is that no departure has been made from the undertaking referred to.

Transfer of Dog Licences.

MR. PIKE PEASE (Darlington): To ask Mr. Chancellor of the Exchequer whether it is the practice of the Board of Inland Revenue, after the death of a person owning a dog for which a licence had been duly taken out, to require the executor who has become the owner of the dog to take out another licence for the same dog for the current year.

(*Answered by Mr. Lloyd-George.*) Dog licences, which are not on the same footing as establishment licences, are not transferable. The law requires the person keeping a dog after the death of the owner to obtain a fresh licence.

Recommendation of the Commission on Congestion.

MR. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Government propose to make any provision in the new Irish Land Bill for the purpose of giving effect to the recommendations made in Section 296 of the Final Report of the Royal Commission on Congestion in Ireland.

(*Answered by Mr. Birrell.*) The recommendations in question are under consideration.

Mullingar District Lunatic Asylum Finance.

MR. GINNELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can now say how soon the promised statement on the finance of the Mullingar District Lunatic Asylum will be available.

(*Answered by Mr. Birrell.*) I hope to be able to furnish the statement in question to the hon. Member within the next few days.

Women Inspectors in Irish Offices.

MR. COOPER: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any, and, if any, how many, women are inspectors in the Departments of the Local Government Board, Department of Agriculture and Technical Education, Royal College of Science, National Education Board, and General Prisons Board, Ireland.

(*Answered by Mr. Birrell.*) Two women are employed as temporary inspectors under the Local Government Board, one woman has recently been appointed as inspector of national schools, and there are three women inspectors under the Department of Agriculture and Technical Instruction for Ireland. There are no women inspectors on the staff of the Royal College of Science or of the General Prisons Board.

Evicted Tenants—Application of Mr. James M'Cullagh.

MR. FETHERSTONHAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application for reinstatement from Mr. James M'Cullagh, evicted from a farm in Innishmore, County Fermanagh, Ely estate, and will they soon be in a position to comply with the application; have they agreed to purchase untenanted lands on the Ely estate; and, if so, how soon is it expected the lands will be vested.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received this application, and will consider it in connection with the allotment of such untenanted land as they may acquire. The farm referred to is in the occupation of another tenant. The Commissioners are in negotiation for the purchase of untenanted land on the Ely estate, but cannot at this stage say when they may be vested.

Irish National Schools struck off the Rolls.

MR. BARRIE (Londonderry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many National schools, with an average attendance of twenty and upwards, have either been struck off the rolls during this year or have been notified that they will be struck off at the end of it; how many of these are under Roman Catholic management; and how many have Protestant managers.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that forty-seven such schools, twenty-eight under Roman Catholic and nineteen under Protestant management, have been struck off, and that six, three under Roman Catholic and three under Protestant management, have been notified that they will be struck off or suspended from 31st December, 1908. In the great majority of cases the schools struck off are amalgamated with other schools.

Schools closed—Transfer of Teachers.

MR. BARRIE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland where a National school under charge of a schoolmaster is closed and its pupils transferred to a school presided over by a schoolmistress, will he request the Commissioners to make arrangements whereby the disemployed schoolmaster will be transferred to the school with which his late pupils are incorporated; and, failing that, will the Board continue the grant for a reasonable time, to give the displaced teacher a reasonable opportunity of finding other employment.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that, in the case of the amalgamation of adjoining boys' and girls' schools, it is their general practice to recognise the master of the boys' school as principal of the combined school, and the mistress of the girls' school as privileged assistant. In exceptional cases, however, it may happen that, owing to want of efficiency on the part of the master, the manager of the schools may not wish to appoint him as manager of the combined school. In such a case the master could not under the regulations in force be recognised as assistant teacher under a woman principal, and the Commissioners do not consider it desirable to alter their rules on that subject. Grants are not withdrawn from a school without reasonable notice to the manager.

Boycotting in Ireland.

MR. LONSDALE (Armagh, Mid): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the number of cases and of persons boycotted in Ireland on 30th November, 1908, in the same form, in which the information was given in Parliamentary Paper No. 89, of last session.

(*Answered by Mr. Birrell.*)—

Return of the number of cases of boycotting and of persons boycotted throughout Ireland on 30th November, 1908—

Date.	Wholly Boycotting.		Partial Boycotting.		Minor Boycotting.		Total number of all cases of Boycotting.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
30th November, 1908 -	15	68	11	42	193	730	219	840

Schools to be closed—Waiving of Notice on Increase of Attendance.

MR. BARRIE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in cases where national schools notified for striking off the rolls at the end of the year have shown substantial increases in attendance during recent months he will ask the Commissioners to waive these notices until it is seen how attendances are maintained in these schools during a further period.

(*Answered by Mr. Birrell.*) The Commissioners of National Education are not prepared to give a general consent such as is asked for, but, if the facts of any case are brought under notice, their they will consider the question of continuing grants to the school on its merits.

Cattle Driving in Ireland.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state, by order of counties, the number of cattle-drives reported by the Royal Irish Constabulary to have taken place in Ireland, for the months of October and November, 1905.

(*Answered by Mr. Birrell.*) No cattle-drives were reported during the period mentioned.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state, by order of counties, the number of cattle-drives reported by the Royal Irish Constabulary to have taken place in Ireland for the months of October and November, 1908.

(*Answered by Mr. Birrell.*) The following statement gives the particulars required—

County.	October 1908.	November 1908.
Clare - - - -	20	23
Galway - - - -	—	3
Kerry - - - -	—	2
Kilkenny - - - -	—	1
King's County - - -	—	1
Longford - - - -	2	—
Louth - - - -	—	1
Mayo - - - -	—	4
Meath - - - -	11	16
Queen's County - - -	—	2
Roscommon - - -	—	2
Sligo - - - -	7	15
Tipperary - - - -	2	2
Westmeath - - -	2	2
Total - -	41	74

Restoration of Irish Evicted Tenants.

MR. GINNELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if, in view of the statements that all the untenanted ranch land in Ireland is insufficient for the relief of evicted tenants and of congestion and is the excuse for withholding relief, he will explain why the Estates Commissioners continue giving parcels of that land to grabbers of evicted farms and to graziers of large tracts, and disregard complaints o evicted tenants and of congests, whether made directly or through this House; and whether he will give any assurance that well-founded complaints on specific cases of this nature will in future receive attention.

(*Answered by Mr. Birrell.*) Advances for the purchase of untenanted lands are made by the Estates Commissioners in accordance with the law, and all representations received by them are duly considered.

Evicted Tenants—Case of William Logan.

MR. KETTLE (Tyrone, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether an application for reinstatement has been received by the Estates Commissioners from William Logan, an evicted tenant, who formerly held a farm on the estate of Colonel Irvine, near Omagh, County Tyrone; and whether any steps have been taken to restore him to his own or an equivalent holding.

(*Answered by Mr. Birrell.*) The Estates Commissioners have not received any application for reinstatement from William Logan.

Security of Tenure of Irish School Teachers.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a Return ordered by this House on 24th February last states that out of 14,398 National school teachers in Ireland, who signed agreement forms with managers, only 845 executed forms providing for a referee, and that the referee in almost every one of these cases was chosen by the manager; if he can say how often he has referred this question to the National Commissioners, with a recommendation to provide a remedy, and with what result; and what steps, if any, does he propose to take to insure security of tenure to those teachers who are liable to unjust and arbitrary dismissal.

(*Answered by Mr. Birrell.*) The number of cases in which agreements providing for the appointment of referees had been executed up to the date of the Return is correctly stated. I have no means of ascertaining how the referees were chosen. I have repeatedly stated the Commissioners of National Education are of opinion that it is desirable that a referee should be available in the case of dismissal of teachers, and two of the four forms of agreement between managers and teachers provide for the appointment of a referee. The Commissioners, however, have no power to compel the adoption of a form of agreement which contains that provision.

Teaching of Cookery and Laundry Work in Irish Schools.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the inspectors in Circuit (8) are urging that cookery and laundry work be added to the present curriculum in national schools, and if they have authority from the Commissioners of National Education to threaten the withholding of increments and promotion if these subjects are not introduced by teachers; and whether the Commissioners have made any provision for equipping schools for these subjects, or if it is intended to impose this monetary obligation upon the teachers who have already many such burdens to bear.

(*Answered by Mr. Birrell.*) The Commissioners of National Education are not aware that the inspectors in Circuit (8) have been making exceptional efforts to secure the teaching of cookery and laundry work. In cases where cookery is not taught, and where *prima facie* there seems to be no reason why it should not be taught, inspectors have been requested to say whether they have brought the provisions of the rule on the subject under the notice of the managers but they have not been instructed to threaten the withholding of increments or other penal action. Under the Commissioners' rules increments may be withheld from the teaching staff of schools in which cookery is not taught, unless special sanction has been obtained for the omission. As regards the concluding portion of the Question, I would refer the hon. Member to my reply to a Question asked by the hon. Member for East Kerry on the 10th instant.

Suggested Rifle Range at Cappantimore and Glenagross.

MR. JOYCE (Limerick): To ask the Secretary of State for War whether his attention has been called to the fact that the lands of Cappantimore and Glenagross, situate within two or three miles of Limerick, were inspected some time since by the military authorities with the view of establishing a range for military purposes; was the report in every way favourable and was it approved of; is he aware of the fact that a range so situated would be of considerable advantage, and that money would be saved to the Government owing to the facilities afforded by the central position in which Limerick is placed, both by land and water, for the conveyance of troops and stores; and whether, having regard to those facts, due consideration will be given to the claim put forward to have a range established at this place.

(*Answered by Mr. Secretary Haldane.*) The proposed range is within four miles of Limerick, but is five miles from the barracks. It is unsuitable for field practices but in other respects is favourably reported on. As, however, the terms asked for a lease are considered excessive, it is doubtful, unless they can be modified, whether any saving would result to the Government by establishing a range there.

QUESTIONS IN THE HOUSE.

Submarines.

MR. MIDDLEMORE (Birmingham, N.): I beg to ask the First Lord of the Admiralty whether he will state the number of submarines built or building for the French, German, and British Navies.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): According to statements published in the respective countries, the numbers are—France built, forty-nine; building and projected, fifty-six. Germany built, two, building and projected, ten. For England the number of submarines built is forty-five; for those building and projected I am not prepared to give the figures.

Naval Manœuvres.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty what were the greatest number of armoured vessels manœuvred under the command of Admiral Sir Arthur Wilson at one and the same time.

MR. MCKENNA: The Answer to the hon. Member's Question is forty-six.

Anti-Torpedo Armaments.

MR MIDDLEMORE: I beg to ask the First Lord of the Admiralty whether, in view of the difference in expert opinion on the subject, he will consider the possibility of substituting a heavier anti-torpedo armament than is now carried by H.M.S. "Warrior," H.M.S. "Natal," H. M. S. "Achilles," and H. M. S. "Cochrane."

MR. MCKENNA: The Admiralty do not propose to make any change.

MR. MIDDLEMORE: Do the Admiralty consider the present armament heavy enough to resist the attack of big torpedo vessels?

MR. MCKENNA: I have explained that the Admiralty do not consider it in the public interest to give the information asked for.

Admiralty China Contracts.

MR. JOHN WARD (Stoke-on-Trent): I beg to ask the First Lord of the Admiralty whether, in asking for tenders for earthenware and china for use in the Navy, any British earthenware and china manufacturers are requested to tender, or whether tenders are asked only from firms of middlemen who often buy the rough ware in foreign countries and have it decorated here and sold to the Admiralty as British-made goods.

Mr. McKENNA: There is a notice on the form of tenders for earthenware and china that manufacturers only will be accepted, and we have never had any reason in this trade to suppose that contractors have supplied ware other than of their own manufacture.

Mr. JOHN WARD: Is it not the fact that there are no manufacturers on the list, and that only middlemen are invited to tender?

Mr. McKENNA: So far from that being the case the information given me is that on our list we have no one but manufacturers and no middlemen at all. I shall be happy to inquire as to individual cases if the hon. Member has any information to give.

Mr. MYER (Lambeth, N.): Is it not the custom of the Admiralty to expend the taxpayers' money to the best advantage by obtaining commodities in the cheapest market?

Mr. McKENNA: When we are asking for manufactured articles we endeavour to get them from the manufacturer himself.

*Mr. LUPTON (Lincolnshire, Sleaford): Is it not the fact that the best goods at the lowest prices are got through middlemen?

Mr. McKENNA: I cannot say that that is the experience of the Admiralty.

*Mr. LUPTON: Perhaps the right hon. Gentleman will inquire as to the experience of private firms.

Portsmouth Admiralty Contract.

Mr. JOHN WARD: I beg to ask the First Lord of the Admiralty whether he can state the number of men employed by Messrs. Morrison and Mason, contractors for the new lock, Portsmouth, upon that work, the number of navvies who are receiving less than 6d. per hour, and the number of labourers who are paid 5d. per hour; and whether he has seen or received from the local contractors' association a protest against the contractors for the Admiralty paying any workman less than 6d. per hour, on the ground that it is the recognised minimum wage of the district.

Mr. T. F. RICHARDS (Wolverhampton, W.): May I also ask the First Lord of the Admiralty whether he is aware that Messrs. Morrison and Mason, contractors, Portsmouth, are paying 5d. per hour to men engaged in the construction work applicable to building; whether he is aware that the master builders' association have agreed to and do pay 6d. per hour for all labourers employed on work of this kind; whether he has been informed that the corporation pay 6d. per hour for all men employed on the roads in the mortar and stone yards; whether he is aware that this firm by paying 5d. per hour are acting contrary to the wishes of the master builders and the workmen's trades unions of the borough; will he take the necessary steps to ascertain the recognised rates for this class of work by making an appeal to the borough surveyor, the president of the master builders' association, and the secretary of the trades council; and will he act upon the recommendation made by any two of the above-named gentlemen should they make a recommendation, or what steps does he intend to take to support the Fair Wage Resolution of this House, which the men's unions claim is being violated.

Mr. McKENNA: In reply to these Questions, the lock contractors at present employ sixteen men at 5d.; eighty-seven men at 5½d.; thirty-seven men at 6d. It cannot be said that any of the men employed at less than 6d. can be classified as navvies. No protest such as is referred to in the Question of the hon. Member for Stoke has been received, but a letter has been received from the Master Builders and Building Trades' Association in the following terms: "In reply to your favour of yesterday's date as to wages of outside navvies or excavators, I beg to inform you that the rules I sent you only apply to workmen engaged on buildings, and I regret I have no knowledge of the general rate of wage for navvies and excavators engaged on other works, such as docks, bridges, piers, etc., and I am not aware of the existence of any trade union rate for this class of workmen. No doubt such firms as Sir John Jackson, Ltd., Messrs. S. Pearson & Son, Ltd., Messrs. Walter Scott & Middleton, would be able to give you the information you require." As to the other points on which I am interrogated, I have not yet received information which would enable me to reply.

MR. CURRAN (Durham, Jarrow): Is the right hon. Gentleman aware that in the building trade generally 6d. per hour is recognised as the standard wage?

MR. McKENNA: There is no dispute as to that.

MR. BRAMSDON (Portsmouth): Is the right hon. Gentleman aware that the Portsmouth Corporation pay the labourers who are engaged by the hour at the rate of 6d?

MR. McKENNA: That may be, but there is a distinction between different classes of labour employed by the council, and I understand in some cases they only pay 4½d. per hour.

MR. ALEXANDER CROSS (Glasgow, Camlachie): Are not these contractors an enterprising Scottish firm who have encountered a good deal of hostility from other firms in the trade from whom they have taken much work?

MR. T. F. RICHARDS: Is the right hon. Gentleman aware that master builders recognise that all men employed in construction work for builders are entitled to 6d. per hour, which is paid by all contractors at Portsmouth? Does not the president of the Master Builders Society assert that these men are also entitled to 6d.?

MR. McKENNA: I have read the exact terms of the letter I have received.

MR. JOHN WARD: Is it not the fact that builders employ navvies for excavating work for foundations and pay them 6d. per hour?

MR. McKENNA: I agree that for work generally done by navvies 6d. per hour is the rate paid. I will inquire into further points raised by hon. Members.

War Office Earthenware, etc., Tenders.

MR. JOHN WARD: I beg to ask the Secretary of State for War whether his Department invite tenders for the supply of earthenware and china goods and utensils from any British earthenware and china manufacturers, or whether only firms of middlemen are placed upon the contractors' list for this purpose by his Department; and if he can say in what other branch for the supply of war material manufacturers are prohibited from tendering, and the tenders of middlemen only are invited or received.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): It is an established rule of the War Department to avoid dealings with middlemen and to limit orders for manufactured articles to actual manufacturers as far as possible. It is open to any manufacturer to ask to be invited to tender, and all such applications are most carefully considered. No competent and satisfactory manufacturer is prohibited from tendering for any article.

MR. JOHN WARD: Would it not be better to submit these tenders to open competition, so that all manufacturers may have an opportunity of tendering?

MR. HALDANE: I do not think the effect would be any more satisfactory. Manufacturers can apply for permission to tender. We scrutinise the list, and everybody who is satisfactory is allowed to tender.

Irish Soldier's Pension.

MR. GINNELL (Westmeath, N.): I beg to ask the Secretary of State for War whether the Commissioners of the Royal Hospital, Chelsea, can state for what reason they increased to 2s. 6d. per day the pension to Thomas Tuohy (No. 6125), late of the 1st Connaught Rangers, for a period of three months beginning on the 19th February last; whether they can explain why they have now reduced to 1s. 6d. a day the pension to this man, although he was twice wounded at the battle of Pieter's Hill, and has still seven parts of a bullet in his right leg, which, in consequence of the wound, is one and a half inches shorter than the other leg; and whether they will consider the advisability of restoring his pension to the former amount of 2s. 6d. a day.

Mr. HALDANE: This man's permanent pension is 1s. 6d. a day. The increase to 2s. 6d. a day was a temporary grant allowed to him when he was admitted to the Royal Infirmary, Dublin. It is usual for the Chelsea Commissioners to grant an increase of pension in such cases for three months to cover the period in hospital and subsequent convalescence.

Indian Medical Service.

Mr. KETTLE (Tyrone, E.): I beg to ask the Under-Secretary of State for India whether he is aware of the difficulties in the path of capable Indians desirous of presenting themselves at the competitive examination for the Indian Medical Service held in England, and of the disadvantages under which they are placed as compared with the people of this country; and what steps he proposes to take in order to remove these disabilities from the people of India, and to afford them reasonable opportunities for rising in the medical service of their country.

I beg also to ask the Under-Secretary of State for India whether the professors of the Medical College, and the physicians and surgeons at the General Hospital, Madras, are military officers attached to the Indian Medical Service and lent to the civil authorities; whether medical gentlemen outside the ranks of this service are debarred from filling those posts, and are allowed to serve only in subordinate ranks; whether he is aware of the discontent amongst members of the subordinate service, owing to their being shut off from the higher appointments for want of a commission in the Army; and whether he proposes to make any recommendations to the Government of India on the subject.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The professors of the Medical College, and the physicians and surgeons of the General Hospital, Madras, are at present officers of the Indian Medical Service, which is recruited for both military and civil duty. Medical officers outside that service are not shut off from higher appointments, although in practice they seldom attain the highest posts. The Secretary of State does not consider the present condition of the matter to be satisfactory, and is in communication with the Government of India as to the desirability of promoting the growth of an independent medical profession in India, and of extending the employment of civil medical practitioners recruited in India.

Mr. KETTLE: Is it a fact that at present Indian gentlemen who wish to join the Indian Medical Service have to come to London for the examination?

Mr. BUCHANAN: If they intend to join the Indian Medical Service the candidates have all got to come to this country for their examination.

Mr. KETTLE asked whether the Secretary of State for India would include some reform in regard to this matter in the general scheme of Indian reforms.

Mr. BUCHANAN: I have no doubt that is included in the inquiries of the Secretary of State.

The Unrest in India.

Mr. MACKARNESS (Berkshire, Newbury) asked the Prime Minister whether, in view of the grave news coming from India, and in view of the importance of giving encouragement to well-affected subjects of the King in India, he would allow to be made known without delay what measures were to be proposed for reform of government in that country.

The PRIME MINISTER and FIRST LORD of the TREASURY (Mr. Asquith, Fifeshire, E.): My hon. friend may be assured that the statement will be made at the earliest possible moment.

Mr. MACKARNESS: Before the House rises?

Mr. ASQUITH: Oh, yes. Before the House rises for the session.

Mr. KEIR HARDIE (Merthyr Tydvil) asked the Under-Secretary of State for India whether he had received any information in regard to the arrests of Aswini Kumar Dutt and Krishna Kumar Mitra; and whether the arrests had been made under the ordinary law, or under the new Act passed the other day.

*Mr. BUCHANAN said the two individuals about whom the hon. Gentleman inquired had been arrested under Regulation 3 of the Act of 1818.

MR. MACKARNESS asked whether there had not been nine arrests.

*MR. BUCHANAN: Yes, nine in all; but the hon. Member's Question was in reference to two persons.

MR. KEIR HARDIE asked if there was any connection between the arrests on the eve of the day when the statement was to be made by the Secretary of State and the statement itself, and if the Government at home were advised that the arrests were to be made.

*MR. BUCHANAN said that there was no connection, and he was sure that nobody deplored more than the Secretary of State that it had been necessary to put the regulation in force at the moment. The Secretary of State was aware of the arrests being made.

MR. KEIR HARDIE asked if their were any circumstances that required the regulation to be enforced at the moment, other than had existed for some time.

*MR. BUCHANAN said it was only under great pressure and upon serious representations made by the acting Lieutenant-Governor of Bengal and of Eastern Bengal, and after very careful investigation by the Government of India of the evidence against these individuals, that it was decided to take this particular action.

SIR H. COTTON (Nottingham, E.) asked was it a fact that this extraordinary action—— [Cries of "Order."] He was quite in order; it was extraordinary action—out of the common—this extraordinary action, the arrest of these individuals, was taken because there was no evidence to proceed against them in a criminal Court.

*MR. SPEAKER: That is not a proper Question to ask.

MR. REES (Montgomery Boroughs) asked whether a regulation similar to this existed and was enforced in all the native States in India and whether similar power existed in respect to the East Africa Protectorate.

MR. SPEAKER: Hon. Members should give notice of Questions that require research.

DR. RUTHERFORD (Middlesex, Brentford) asked, were these gentlemen to be deported without trial?

MR. BUCHANAN said they would be dealt with under the terms of the regulation.

DR. RUTHERFORD: In the circumstances, does the right hon. Gentleman think such action is calculated to allay the unrest in India?

SIR H. COTTON asked, had not certain of these gentlemen been proceeded against in a criminal Court and acquitted of the charges brought against them?

MR. BUCHANAN said he could not answer that Question.

MR. KEIR HARDIE asked the right hon. Gentleman if he could in general terms say what was the effect of the section referred to.

MR. BUCHANAN said Regulation 3 of the Act of 1818, a copy of which could be seen in the library, empowered the Government to make arrest, if it was considered necessary, for the security of the British dominions from internal commotion, to take such action.

MR. SPEAKER here interposed and said further Questions should not be put without notice.

Vaccination in Ceylon.

MR. LUPTON: I beg to ask the Under-Secretary of State for the Colonies if vaccination in Ceylon is done with calf lymph or with human lymph.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): The Medical Reports for 1906 and 1907 state that glycerinated calf lymph was supplied in sufficient quantities to all parts of the island from the Central Calf Vaccine Depôt at Colombo.

MR. LUPTON: I beg to ask the Under-Secretary of State for the Colonies if his attention has been called to an alleged case of forcible vaccination by a municipal vaccinator at Kollupitiya, in Ceylon; if the municipal vaccinators are paid according to the number of cases they vaccinate; and if he will order the prosecution of the municipal vaccinator for assault.

COLONEL SEELY: I have seen a letter in a Ceylon newspaper, but I have no further information on the subject, nor am I aware how the vaccinators are paid. The Answer to the last Question is in the negative, but I will communicate my hon. friend's Question to the Governor.

Straits Opium Commission.

MR. THEODORE TAYLOR (Lancashire, Radcliffe): I beg to ask the Under-Secretary of State for the Colonies whether he has now received the Report of the Straits Opium Commission; and whether he will lay it upon the Table.

COLONEL SEELY: The Report has just been received. It will be laid on the Table in due course.

Chinese Anti-Opium Societies in Hong Kong.

MR. THEODORE TAYLOR: I beg to ask the Under-Secretary of State for the Colonies whether he can inform the House as to whether the recent riots in Hong Kong are now completely over; whether he is aware that many of the Chinese there are afraid to form anti-opium societies for fear of offending the Colonial Government; and whether he will give instructions that the Colonial Government shall encourage and aid in the formation of such societies by every reasonable means.

COLONEL SEELY: As regards the first part of my hon. friend's Question, I have no information of any very recent rioting, though the situation still has to be carefully watched. As regards the remainder of his Question, I would refer him to the Answer which I gave on the 19th October to a Question put by my hon. friend in very similar terms.

MR. THEODORE TAYLOR: In view of the anxiety of the people to establish these societies, will the Government send out instructions to the officials on the spot to encourage the movement?

COLONEL SEELY: The local Government is fully seized of our views and appreciate them.

MR THEODORE TAYLOR: But will it give effect to those views?

COLONEL SEELY: Of course it will.

Hong Kong Opium Dens.

MR. THEODORE TAYLOR: I beg to ask the Under-Secretary of State for the Colonies whether he has now received from the Governor of Hong Kong his Report as to what action is being taken to close the opium dens there in fulfilment of the instructions to do so of the Secretary of State on 5th May last; whether anything has yet been done; and whether he will lay upon the Table the correspondence on the subject.

COLONEL SEELY: The Governor's recommendations are now under the consideration of His Majesty's Government. Correspondence on the subject will be laid before Parliament in due course.

MR THEODORE TAYLOR: Will it be before the end of the session?

COLONEL SEELY: I am not quite sure, but it will probably be next month.

Canadian Immigration Laws.

MR. WATT (Glasgow, College): I beg beg to ask the Under-Secretary for the Colonies whether he is yet in a position to say whether his Department proposes to take any action with regard to the forced return from Canada of the Glasgow boilermakers, and of the refusal of the Canadian Pacific Railway Company through their London agents to pay either wages or damages; and, if so, will he say what action is proposed to be taken.

COLONEL SEELY: I am now informed by the Canadian Pacific Railway Company that the boilermakers in question were sent home at their own request, with the exception of one man named Hunter of whom the company has no record.

Mr. WATT: Is the right hon. Gentleman aware that these men have made affidavits to a contrary effect? Why is it in these matters the Government always accept the official version?

Colonel SEELY: I was not aware of the fact mentioned by the hon. Member, and I will make further inquiries.

Forced Native Labour in the Congo.

*Sir CHARLES W. DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for Foreign Affairs whether it is within his knowledge that the system of stationing armed soldiers in villages to force the collection of rubber by natives still obtains in the Kasai region of the Congo; and that, owing to the demands thus made for rubber, the natives of Bakuba, Bakete, and Pianga districts have no time to cultivate their farms and are threatened with starvation, while the investigation held by the Congo authorities after the visit of the British Consul to the region was perfunctory and in part conducted by an official already involved in the charges of irregularity of administration.

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir Edward Grey, Northumberland, Berwick): I have received reports from His Majesty's Consul at Boma on the condition of the natives in the Kasai region of the Congo State, which are being considered. Information to the effect stated in the Question has reached me from an independent source, but there has been no opportunity of corroborating it officially.

Kasai Company's European Agency.

*Sir CHARLES W. DILKE: I beg to ask the Secretary of State for Foreign Affairs whether he will cause full information to be obtained in regard to the nature of the punishment, if any, inflicted upon European agents of the Kasai Company now under arrest; and if he will take the earliest opportunity of laying before the House the Report of the British Consul on his visit to the region affected by the charges.

Sir EDWARD GREY: With regard to the first part of the Question, I am asking His Majestys' Consul at Boma for information. I hope to lay before Parliament in the course of next month Mr. Thesiger's Report on his tour in the Kasai district, and other papers respecting the condition of the natives in the Congo State.

Shanghai Opium Commission.

Mr. THEODORE TAYLOR: I beg to ask the Secretary of State for Foreign Affairs whether he can now give the House the terms of reference of the International Opium Commission which is to meet in Shanghai in February next.

Sir EDWARD GREY: The United States Government have communicated to us the terms of their instructions to their delegates. These instructions are as follows:—"1. To devise means to limit the use of opium in the Possessions of this country. 2. To ascertain the best means of suppressing opium traffic, if such now exists, among the nationals of this Government in the Far East. 3. To be in a position so that when the Commission meets at Shanghai our representatives may be prepared to co-operate with the representatives of participating Powers, and with them to offer definite suggestions of measures which these Governments may adopt for the gradual suppression of opium cultivation, traffic, and use within their Eastern possessions, thus assisting China in her purpose of eradicating the evil from her Empire. 4. To be able to inform the whole Commission when it assembles, regarding regulations and restrictions in force at present in this country, and to formulate and discuss proposals for amending such regulations in points in which they may be found, in the course of the joint investigation, to affect the production, commerce, use, and disadvantages of opium in the Far East." The British delegates are being furnished with instructions on similar lines, but it is not known how far this basis has been accepted by the other participating Governments for the guidance of their delegates.

Congo Colonial Law.

Sir GEORGE WHITE (Norfolk, N.W.): I beg to ask the Secretary of State for Foreign Affairs if his attention has been called to Article 36 of the Congo Colonial Law, voted by the Belgian Parliament, which provides that the decrees, regulations, and edicts of the Congo State shall retain full force of law under the Belgian administration; and if he can say whether this provision applies to the decree and regulations of 1891–2 and to the edicts subsequently promulgated under which the natural products of the soil have been appropriated by the administration and the concessionaire companies.

SIR EDWARD GREY: Until the Belgian Government have had time to formulate a scheme for carrying out the assurances respecting the better treatment of natives and freedom of trade already given, and for a more precise definition of which His Majesty's Government have asked in their Memorandum of 1st November last, which has been presented to Parliament, it would seem to be necessary that the administration should be carried on under existing regulations. The particular point referred to in the end of the Question, which is a very important one, is dealt with in the Memorandum of His Majesty's Government, to which the reply of the Belgian Government has not yet been received.

Congo States Administrative Staff.

SIR GEORGE WHITE: I beg to ask the Secretary of State for Foreign Affairs if his attention has been called to the announcement that with one exception the whole of the executive staff of the Congo States administration has been attached to the Belgian Colonial Ministry; and, having regard to the Resolution voted by this House in February last, and to the condemnation passed by His Majesty's Government and by all parties in the House upon the Congo States administration, if he will consider the advisability of making some representations to the Belgian Government upon the matter.

SIR EDWARD GREY: The Resolution referred to in the Question dealt with the system in force in the Congo. The question of how far a change of *personnel* is essential to a change of system can hardly be dealt with as an abstract and general question, and in any case I cannot make further representations until a reasonable time has elapsed for the receipt of a reply to the Memorandum already before the Belgian Government.

Income-Tax.

MR. HARMOOD-BANNER (Liverpool, Everton): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to the practice of surveyors of income-tax requiring the production of balance sheets for the assessment of income-tax in cases of private firms and private companies; whether he can state under what authority this production is required; if he is aware that their production causes anxiety to traders, inasmuch as they are sometimes placed before the local Commissioners of Taxes, who may be competitors in trade; whether he is aware that in most cases surveyors claim the right to retain these balance sheets, and decline to make the usual and proper allowances for depreciation, otherwise agreed, unless permitted to do so; and whether he will give instructions that this subject may be made a matter of inquiry, with a view to the practice being discontinued.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The matter referred to by the hon. Member has been the subject of several very full replies in this House, more especially those given on the 28th February, 1907, and the 19th of May, 1908, to my hon. friends the Members for the Thornbury division and for Ashton-under-Lyne, respectively, copies of which I shall be glad to send him.

Ancoats Pension Claimant.

MR. JOYNSON-HICKS (Manchester, N.W.): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that Mrs. Fanny Royster, of Ancoats, Manchester, aged seventy-one, has been refused an old-age pension because she was sent to the workhouse hospital in May last by her doctor, owing to a severe attack of pneumonia; whether such refusal is in accordance with the Old-Age Pension Act, if so, whether he can see his way to give her a compassionate allowance; and whether he will take steps early next session to remedy this grievance.

MR. LLOYD-GEORGE: I have not received particulars of the case referred to, but the question whether disqualification would or would not arise in such circumstances would depend upon the precise facts of the case, upon which the decision rests with the local pension committee, subject to appeal to the Local Government Board. I have no power to grant compassionate allowances to disqualified applicants for pensions, and, until the precise application of the existing disqualification has been determined on appeal, it would be premature to consider the question of amending it by legislation.

Elementary Education Grant.

MR. CLOUGH (Yorkshire, W.R., Skipton): I beg to ask Mr. Chancellor of the Exchequer whether, following the precedents of the Old-Age Pension Act and Budget, 1908 he can see his way to deal by a separate Bill to the Budget in 1909 with the £13,500,000 allocated to elementary education, so as to constitute the teachers of the elementary schools a branch of the Civil Service free from the imposition of all ecclesiastical tests, and so as to provide that the whole of these moneys shall only be expended upon those elementary schools that are completely controlled by popularly elected education authorities.

MR. LLOYD-GEORGE: My hon. friend's Question should be addressed to the Prime Minister.

Children and Hop Picking.

CAPTAIN CLIVE (Herefordshire, Ross): I beg to ask the Secretary of State for the Home Department whether he is aware that at Brierley Hill 174 parents and guardians were summoned by the Staffordshire education committee for not sending their children to school during the hop-picking season, and that fines amounting to about £80 were imposed; that in many cases the defendants pleaded great poverty, and that in some instances the children were said to be taken hopping because they were in ill-health; whether he has observed that similar prosecutions in previous years have been ineffective in preventing parents from taking their children to benefit in health and wealth by hop-picking; and whether he can take any steps to remit or reduce these fines and discourage similar prosecutions in future.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): The matter has been very carefully considered by the Staffordshire Education Committee, and I have no reason to doubt that their decision to fix the holidays for the Staffordshire schools so as to end before the hop-picking begins is not only right in itself, but is in accordance with the wishes of an overwhelming majority of the school-children's parents. This being decided, the justices have no option but to enforce the law. I am satisfied that they impose penalties for breaches of the law with discrimination and due regard to the considerations touched on in the question. No cases have been brought to my notice which call for an exercise of the prerogative.

MR. COURTHOPE (Sussex, Rye): Is the right hon. Gentleman aware that these unfortunate persons are unable to leave their children behind them and must, therefore, suffer continued prosecution or lose their employment?

MR. GLADSTONE was understood to reply that many parents were averse to the practice of taking the children into the hop gardens.

MR. COURTHOPE asked whether hopping was not regarded as a healthy occupation from which children greatly benefited?

MR. GLADSTONE said it was reported that the children contracted serious diseases while hop-picking. The local education authority had gone exhaustively into the question.

MR. COURTHOPE: Will the right hon. Gentleman go into the hop gardens next season and judge of the circumstances himself?

MR. GLADSTONE: That would not give me the information. Besides it is the local education authority whose officers are responsible in this matter.

MR. ARKWRIGHT (Hereford): Do the right hon. Gentleman's remarks apply to all the hop-growing districts of the country?

MR. GLADSTONE: I replied to the Question on the Paper.

Vaccination Declarations.

MR. LUPTON: I beg to ask the President of the Local Government

Board whether he is aware that Mr. F. G. Bowsher, 161, Shirland Road, Paddington, was unable to make the declaration under the Vaccination Act, 1907, within four months of the birth of his child on account of illness which confined him to the house; that Mr. Bowsher made the declaration as soon as he was able to go out, namely, on 2nd December last, and that the Vaccination Officer refused to accept this on account of it being made eight days too late; and whether he will consider the desirability of the vaccination officer exercising his discretion and not prosecuting Mr. Bowsher for the non-vaccination of his child, as Mr. Bowsher is only a postman and cannot afford to pay the penalty usually imposed under the Vaccination Acts.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I understand that the child was born on the 24th July last, and that on the 4th September Mr. Bowsher himself registered the birth at the Register Office, when the notice of vaccination was handed to him. A further notice was sent to him on the 23rd October. The period during which a declaration of conscientious objection could be made expired on the 23rd November, and on the 1st December the Vaccination Officer called at the house, when Mr. Bowsher informed him that he had been ill, but he did not say for how long, though the Vaccination Officer tried to elicit information on the point. I cannot undertake to interfere with any action the Vaccination Officer may decide to take in this case.

MR. LUPTON: Was the notice usually sent out at the expiration of three months sent in this particular case?

MR. JOHN BURNS: I gather so.

Conviction for Assaulting a Workhouse Boy.

MR. SUMMERBELL (Sunderland): I beg to ask the President of the Local Government Board whether his attention has been drawn to the case of a farmer residing at Diddlebury, Shropshire, who is a member of the Ludlow Board of Guardians, and who was fined £10, including costs, at the Ludlow County Police Court on the 30th ultimo for assaulting an orphan and workhouse boy, aged fourteen years, in his custody and care, in a manner likely to cause unnecessary suffering and injury to health, viz., by entering the boy's bedroom at 5.45 a.m., pulling the clothes off him, and beating him with a knotted stick across the legs, back and arms; and whether, if he has not already done so, he will ascertain the precise terms of the arrangemeet (*inter alia*, the number of hours per day the boy had to work and the pay he received) entered into between the Ludlow Board of Guardians and the farmer in question as to the placing out of the boy in the defendant's custody and care.

MR. JOHN BURNS: I have made inquiry on this subject and I understand that substantially the facts are as stated in the Question. I am informed that when a boy is placed out in service by the guardians of the Ludlow Union it is customary for arrangements to be made for the payment to him by the person with whom he is placed of a small sum per week for his services, but that in the case mentioned this was not done. Nor was any arrangement made with regard to the boy's hours of work. I will give attention to the method adopted in this Union for placing boys in service.

Distress in Macclesfield.

MR. CLYNES (Manchester, N.E.): I beg to ask the President of the Local Government Board whether he has received an application from the town council of Macclesfield for sanction to create a Distress Committee; and whether he can state if his Board is prepared to grant the application.

MR. JOHN BURNS: I received such an application on Thursday last and am in communication with the town council on the subject.

Pension Claimants.

MR. CLYNES: I beg to ask the President of the Local Government Board whether his Department can take steps to ensure support for persons who are claiming pensions but who, according to information given to the House, have been disqualified for an old-age pension contrary to the stated intention when the disqualification sections of the Act were being framed.

MR. JOHN BURNS: I am not sure what the cases are to which my hon. friend refers, but the reply to the Question must be in the negative. Claimants who are found to be disqualified of course remain in the same position as they would have been if the Act had not passed.

Pension Disqualifications.

SIR GEORGE WHITE: I beg to ask the President of the Local Government Board whether he is aware that at Walsoken a man eighty-three years of age, who has never cost the parish one penny, but is receiving a total of 5s. 6d. per week from three sons through the relieving officer, has been deemed ineligible for a pension by the pension officer though the revising barrister allows his vote; and whether he is entitled to be put upon the pension list.

MR. JOHN BURNS: I have no information as to the case to which my hon. friend refers, and I am not in a position to express any opinion with regard to it. I can only say generally that if a claimant has been in receipt of relief he is disqualified for a pension, even although the amount of the relief is repaid by relatives.

Housing and Town Planning Committee.

MR. JOWETT (Bradford, W.): I beg to ask the President of the Local Government Board if he will inform the House how many public officials were in attendance during the sittings of the Housing and Town Planning Committee, in addition to the two clerks to the Standing Committee; what are the names of the said officials; and what offices they hold.

MR. JOHN BURNS: Besides the Committee clerks, one of the Parliamentary Counsel and three or four of the officers of the Local Government Board were usually present, and when the Scottish clauses were under consideration one or two of the officers of the Scottish Office attended. I do not think it necessary to state the names of the officers referred to.

Moore Street, Glasgow, Meat Market Letter Deliveries.

MR. WATT: I beg to ask the Postmaster-General whether he is aware that the morning letters of the Moore Street Meat Market in Glasgow are not delivered until 8.30 to 8.50 a.m., while the letters for firms on the other side of the street are delivered between 7.30 and 8 o'clock; whether he is aware that business is done in that market amounting to about two and a half millions sterling per annum; that a large part of that business is for instant despatch to catch morning trains before ten o'clock; that the delay of his Department hampers and inconveniences the conduct of this trade; and, if so, will he take steps to expedite this delivery of letters.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): Under normal conditions the morning delivery of letters in the Moore Street Meat Market, Glasgow, should be effected before 8.0 a.m. It seems possible that the employment of a postman who was new to the duty has resulted in a somewhat later delivery recently, but no complaints have reached either the postmaster of Glasgow or myself. Arrangements are being made to ensure delivery at the proper time.

MR. WATT: I beg to ask the Postmaster-General if his Department, earlier than 1906, offered to the Moore Street Meat Market in Glasgow to deliver their morning letters between 7.30 and 8 o'clock instead of one hour later than that if they would agree to pay 8s. per week for such service; and, if so, will he say whether his Department still insists that that sum should be forthcoming before it will give the market proper facilities for carrying on their business.

MR. SYDNEY BUXTON: In December, 1905, the Glasgow Wholesale Meat Traders' Association were informed that a special early delivery of their correspondence could not be afforded except under the conditions of the Express Delivery Service. It was estimated on the basis of the average amount of correspondence received at that time that the fees for the Express Service would amount in all to about £20 a year. As I have already stated in my reply to another Question of the hon. Member's, the delivery in the Moore Street Meat Market is effected by 8 a.m., and I fear it will not be practicable to afford an earlier delivery unless the firms concerned elect to make use of the Express Delivery Service.

Pontypridd Postal Scale of Pay.

SIR ALFRED THOMAS (Glamorganshire, E.): I beg to ask the Postmaster-General if he can now give the result of the recommendations of the classification of the Pontypridd Office.

MR. SYDNEY BUXTON: The classification of Pontypridd is shown on page 59 of the Parliamentary Paper No. 206 issued in July last. It is in accordance with the recommendations of the Parliamentary Committee, the units of work being 282, which places it in Class III., the range of units of which is 240 to 800. The index number of the cost of living as ascertained by the Board of Trade is 102. The maximum pay is for sorting clerks and telegraphists, males 48s., females 32s. and for postmen 25s. a week. In addition to these *maxima* the sorting clerks and telegraphists can earn an allowance of 3s. a week for technical knowledge, and the postmen, after periods of unblemished service, can earn good conduct stripes of the value of 1s. each up to a maximum of six stripes 6s. a week.

Medical Inspection of Schools.

MR. GEORGE ROBERTS (Norwich): I beg to ask the President of the Board of Education if steps have yet been taken to carry into effect the promise of his predecessor in office, made to a deputation from the County Councils Association in February last, to give financial aid to local education authorities in respect of the cost of organising and carrying out medical inspection in schools; and, if so, will he state the nature of the proposals and when they will come into operation.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): My predecessor's statement referred to the additional money proposed to be provided in connection with the Education Bill. I am not in a position at present to make any statement as to the possibility of giving increased Exchequer grants in aid of elementary education.

School Attendance Prosecutions in Staffordshire.

CAPTAIN CLIVE: I beg to ask the President of the Board of Education whether his attention has been called to the action of the Staffordshire Education Committee in prosecuting 174 parents and guardians for not sending their children to school during the hop-picking season; whether he is aware that these prosecutions have been undertaken annually without preventing a recurrence of the offence; and whether he will make it possible, by legislation or otherwise, for town children to enjoy this health-giving holiday without breaking the law.

MR. RUNCIMAN: No, Sir; so far as I can find out, the attention of the Board of Education has not been called to any of the matters referred to in the Question. The duty of carrying out the law of school attendance and of enforcing the local bye-laws does not rest with my Department. It is within the powers of a local education authority to make various arrangements if they think fit to do so for dealing with this matter, by bye-laws, or by arranging the time for school holidays, without any fresh legislation.

MR. COURTHOPE: Will the right hon. Gentleman suggest to the local education authorities that an extension of holidays might be given in these cases?

MR. RUNCIMAN: I have inquired into the matter and do not see any immediate necessity for my intervention.

MR. CLELAND (Glasgow, Bridgeton): Is the right hon. Gentleman aware that in Scotland the holidays are arranged so as to enable children to work during these seasons?

MR. RUNCIMAN: I believe it is so, and I see no reason why something of the same kind should not be done in England.

Board of Works China, etc., Contracts.

MR. JOHN WARD: I beg to ask the First Commissioner of Works whether his Department invite tenders for the supply of earthenware, china, or decorative tiles from any British firm of earthenware, china, or tile manufacturers, or whether firms of middlemen only are placed for this purpose upon the contractors' list of his Department.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): Only British manufacturers are invited to tender for china and earthenware supplies in general. No foreign firms or middlemen are invited. Tiles for buildings are sometimes included in the builders' contract, but more generally are obtained direct from the makers if they are in a position to fix them, otherwise from middlemen who undertake to provide and fix. With the exception of a very small quantity of hearth and stove tiles, it is believed that all tiles are of British manufacture.

MR. WEDGWOOD (Newcastle-under-Lyme): Will the right hon. Gentleman consider the desirability of calling for tenders by open advertisement, so that anybody can tender, instead of confining it to a small selected list?

MR. L. HARCOURT: I will consider that point.

Dwelling Houses on Small Holdings.

MR. LEVY LEVER (Essex, Harwich): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if, having regard to the continued depopulation of the country districts owing to the dearth of cottage accommodation, he will state the number of dwelling-houses that have been erected by virtue of The Small Holdings and Allotments Act, 1907, and in what districts.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, S.): The following table gives the information for which my hon. friend asks:—

County.	District.	Particulars of buildings to be erected.
England.		
Cambridge - - -	Milton - - - -	House and buildings.
Cheshire - - -	Ledsham - - -	Twenty-two houses.
Cornwall - - -	Mabe - - - -	House.
Gloucestershire - -	Coombe Hill - - -	Cottage.
Isle of Wight - - -	Carisbrooke - - -	House.
Lincoln (Holland) - -	Deeping St. Nicholas -	Four cottages.
Lincoln (Kesteven) - -	North Ranceby - -	Two cottages
,, ,, - -	Walcot and Digby Fen -	Four cottages.
Staffordshire - - -	Bridgford - - -	Two houses.
Worcestershire - -	North and Middle Littleton	House.
Wales.		
Denbighshire - - -	Llangynhefal - - -	House and buildings.
,, - - -	Henllan - - - -	Two houses.
Montgomery - - -	Caersws - - -	House and buildings.
Radnor - - - -	Llanyre - - - -	,, ,,

The above table does not include adaptation and sub-division of existing houses

Administration of the Small Holdings Act.

MR. LEVY LEVER: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will seriously consider the advisability of immediately increasing the staff of commissioners, sub-commissioners, and inspectors in order to deal with the numerous applicants for small holdings in those counties where great delay has occurred, which is causing widespread disappointment and dissatistion.

SIR EDWARD STRACHEY: An increase of the staff available for work under the Small Holdings and Allotments Acts has become necessary, and proposals in that direction are now under consideration. I think it necessary the appointments should be made as soon as possible.

MR. MORRELL (Oxfordshire, Henley): Will the Board bear in mind the desirability of having a report prepared by the Commissioners for every county as required by the Act?

SIR EDWARD STRACHEY: That does not arise out of the Question on the Paper.

MR. MORRELL: The difficulty in preparing the reports arises from the inadequacy of the staff.

Lews Parish Councils Finance.

LORD BALCARRES (Lancashire, Chorley): I beg to ask the Secretary for Scotland on what date and for what amount the Treasury guaranteed a bank overdraft in favour of parish councils in the Lews; to what extent has this advance been exhausted; and for how many weeks longer will the councils be able to meet their obligations.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The Treasury on 6th November authorised the Congested Districts Board to give a guarantee for overdrafts not exceeding £1,000 to each of the parish councils of Barvas, Lochs and Uig. The advance to Uig is exhausted. Lochs has a balance of £216 estimated sufficient to meet paupers aliment, etc., for two months. Barvas has a balance of £184, which is expected to suffice for the same period.

Local Government (Scotland) Bill.

MR. COCHRANE (Ayrshire, N.): I beg to ask the Secretary for Scotland whether he can now inform the House why the Local Government (Scotland) Bill, which passed the Scottish Grand Committee on 8th December, with several pages of Amendments, was not printed and circulated to Members in time for the consideration of the Bill by the House after midnight on 10th December.

MR. SINCLAIR: I am informed that every attempt was made to secure the circulation of the Bill as amended in time for the Report stage, but it was not found possible to issue it until Friday morning. I am obliged to the hon. Gentleman for this opportunity of explaining this matter, and of apologising to the House for the explanation which I gave on the spur of the moment and in good faith the other night, which was not correct.

Edinburgh Court of Session Clerk.

MR. WATT: I beg to ask the Lord Advocate whether he is aware that the ordinary clerk of the second division of the Court of Session in Edinburgh is senior partner in a firm of solicitors to the Supreme Courts, and that his firm is often engaged in doing work in the Court in which its partner is the clerk; if so, will he say whether this arrangement has the sanction of his Department; and whether, in view of the fact that other solicitors suffer disadvantage by this arrangement, he will take any action in the matter.

THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs): The ordinary clerk of the second division of the Court of Session is a partner in a firm of solicitors. He is, however, not entitled to carry on Court practice, and I am assured that so far as any Court business is concerned, he has absolutely no interest therein. No arrangement in any other sense would be sanctioned. In these circumstances no action is called for.

MR. WATT: Does not the firm of which he is the head practice in the Court?

MR. THOMAS SHAW: He was appointed by the last Government, and is not allowed to have any interest in the business.

Magan Estate, Westmeath.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can now say when the successful applicants for the untenanted land on the Magan Estate, Westmeath, purchased by the Estates Commissioners, will be put in possession of the portions allotted to them, respectively.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The Estates Commissioners are not yet in a position to say when these lands will be allotted.

Westmeath Evicted Tenants.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the names of the evicted tenants, including representatives of deceased evicted tenants, in Westmeath who have not yet been reinstated though their evicted farms are untenanted, and the length of time each of those families has been evicted.

MR. BIRRELL: I would refer the hon. Member to my reply to the Question asked by him on the 2nd instant.

MR. GINNELL: But that Answer merely referred me to another reply which referred to jealousies among the evicted tenants.

MR. BIRRELL: And which added that the Estates Commissioners were satisfied that it would be most undesirable to publish the names of those tenants who had failed to satisfy them as to the justice of their claims.

MR. GINNELL: That is exactly the point.

Fetherston Estate, Westmeath.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can now say when the successful applicants for the untenanted land on the Fetherston estate, Killulagh, Westmeath, will be put in possession of the portions allotted to them respectively.

MR. BIRRELL: The Estates Commissioners are not yet in a position to say when the allotment will take place.

Pakenham Estate, Westmeath.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can now say when the successful applicants for the untenanted land on the Pakenham estate, Westmeath, purchased by the Estates Commissioners, will be put in possession of the portions allotted to them, respectively.

MR. BIRRELL: Arrangements are being made to put the successful applicants into possession this week.

Irish Local Government Records.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Local Government Board for Ireland has power to require county and rural district councils to keep complete sets of documents of permanent use and interest, such as the Returns of Advances now being issued by the Land Commission; if not, whether the advisability of keeping them will be suggested to those local bodies; and whether sets of those Returns will be supplied gratis to local bodies desiring to keep them.

MR. BIRRELL: The Local Government Board have no power to require local authorities to keep complete sets of such documents, and they feel some diffidence in making recommendations which would impose additional expense on the rates. The Answer to the last part of the Question is in the negative.

Irish Peat Bogs.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the absence of any general scheme for dealing with large peat bogs in Ireland in connection with the transfer of land ownership now in progress and the waste of material of potential value likely to result; whether, when bogs are too large for the requirements of the tenants on an estate, he will consider the desirability of having the ownership of them vested in the councils of the counties or districts in which they are situate; and whether vendors of estates comprising such bogs will in future be required to include the entire bogs in order to make them generally available.

MR. BIRRELL: It would not be possible to devise any general scheme for dealing with turf bogs in Ireland in connection with land purchase. As each estate containing turf bogs comes in for sale a scheme must be prepared to meet the particular circumstances of the case. The Land Commission inform me that in such cases bogs are very seldom reserved to the vendor. I see no reason for departing from the existing system.

Irish Teacher's Pension.

Mr. O'DOWD (Sligo, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what pension would a second-class male national teacher in Class B be entitled to at the age of sixty-three, also at sixty-four.

Mr. BIRRELL: At the age of sixty-three a teacher is entitled to a pension of £38, and at the age of sixty-four to a pension of £42 a year.

Drumcharley School Teacher.

Mr. O'DOWD: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he say how long after the age of sixty-three did Mr. Thomas Quigley, late teacher of Drumcharley (2) National School, Tulla, County Clare, serve as teacher before retiring on pension; did he pay premiums to the pension fund during the extra time he served; and, if so, will he be allowed a proportionate share of pension or have the premiums refunded.

Mr. BIRRELL: I am informed that Mr. Quigley served as a teacher for nine months after reaching the age of sixty-three, and that he paid premiums to the pension fund during that period. The Pension Rules do not provide for the grant of a proportionate part of the pension or for the repayment of the premiums in such a case.

Proposed Inspection of Irish Schools.

*Mr. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Intermediate Board will take steps to have the views of the heads of schools in Ireland as to the lines on which the proposed inspection is to be introduced before the scheme obtains the sanction of the Lord-Lieutenant.

*Mr. BIRRELL: The Commissioners of Intermediate Education inform me that they have already received and are considering a large number of communications from heads of schools and others as to the lines of the proposed inspection.

*Mr. BOLAND: Will the right hon. Gentleman make himself acquainted with the views of the head masters, and press them on the Intermediate Board?

Mr. BIRRELL: I am always glad to hear the views of the head teachers, but my power with the Intermediate Board does not admit of my forcing my will upon them.

*Mr. BOLAND: Perhaps it could be done through the Lord-Lieutenant.

Cost of School Inspection.

Mr. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that neither in England nor in Scotland, nor under the Irish Department of Agriculture and Technical Instruction, is the cost of inspection defrayed out of school grants; and can he state whether it is now proposed to pay the inspectors appointed by the Intermediate Education Board out of the funds of that Board as distinct from the school grants.

Mr. BIRRELL: The Answer to the first part of the Question appears to be in the affirmative. The inspectors appointed by the Board of Intermediate Education will be paid out of the income of that Board, no portion of which is specially set aside for the payment of school grants.

Mr. BOLAND: Can the right hon. Gentleman assure me that by reason of these payments for inspection there will be no diminution of the school grant?

Mr. BIRRELL: I cannot give that assurance. The income of the Intermediate Board is a stated income, and no portion is specially allotted to one purpose or another, as is the case in England and Scotland. But I hope the result will be as the hon. Member wishes.

Outrages in Ireland.

Mr. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of outrages in Ireland recorded as agrarian and non-agrarian, respectively, in which firearms were used, during the periods of eleven months ended 30th November 1906, 1907, and 1908, respectively.

MR. BIRRELL: During the first eleven months of each of the three years mentioned the numbers of outrages in which firearms were used, classified as agrarian and non-agrarian, were as follows: 1906, agrarian twenty, non-agrarian thirty-six; 1907, agrarian fifty-six, non-agrarian fifty-three; 1908, agrarian 128, non-agrarian sixty-five.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of indictable crimes of agrarian and non-agrarian character, respectively, recorded under the heading injury to property, in the years 1906 and 1907, and in the period of eleven months ended 30th November, 1908.

MR. BIRRELL: The number of indictable offences recorded under the heading of injury to property in each of the periods mentioned were as follows: 1906, agrarian twenty, non-agrarian 120; 1907, agrarian twenty-nine, non-agrarian 152; 1st January to 30th November, 1908, agrarian eighty-five, non-agrarian ninety-nine.

Cowfin (Clare) Outrage.

MR. MACCAW (Down, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, on 22nd November, shots were fired in a wood at Rockforest, Cowfin, County Clare, at a party of men, two of whom were injured, accompanying a farmer named W. Burke, who was proceeding to visit Miss Cahill, whom he married on 27th November, and that on 28th November shots were fired at the wedding party while on their way home under the protection of the police, who returned the fire; will he state how many shots were fired by the police on the occasion; whether any arrests have been made; and whether the outrages were of an agrarian character.

MR. BIRRELL: On the first occasion shots were fired as stated, and two men were injured. Shots were also fired at the wedding party on their way home on the night of 28th of November. The police fired fourteen shots in return. It was dark at the time and no arrests were made. The police are doubtful as to the motive of these attacks.

Waterville Road Contracts.

MR. BOLAND: I beg to ask the President of the Board of Trade whether he is aware that three road contractors, namely Maurice Coffey, Timothy Currane, and John Shea, tendered for road contracts in the Waterville district at a low figure, being under the impression that the gravel on the foreshore outside Waterville was available; whether he can state why these contractors are now compelled to draw stones and gravel from the neighbourhood of Ballinskelligs, which is a considerable distance away, whereby the expense is enhanced and the road contracting done at a loss; and whether he will have inquiry made into the matter with a view to having an equitable settlement.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Sir H. KEARLEY, Devonport): I have been informed by the persons named in the Question that they contracted for the repair of roads in the belief that they were at liberty to remove materials from the foreshore for that purpose. It has since been explained to them that the foreshore in question being *prima facie* the property of the Crown no materials can be removed therefrom except with the permission of the Board of Trade, and as the Board received a complaint, which they satisfied themselves by local inquiries was well founded, that the removal of materials from the foreshore of Ballinskelligs Bay contributed to the erosion of the adjacent land, they felt it necessary to prohibit such removal in future. I do not think that further inquiry will be likely to modify this decision.

Parliamentary Ceremonial.

MR. BYLES (Salford, N.): I beg to ask the Prime Minister whether, having regard to the dignity and convenience of Members of this House, he will confer with the Lord Great Chamberlain with the object of securing better accommodation for the Commons when they are commanded to attend His Majesty in the

House of Lords at the ceremonial opening of Parliament.

Mr. ASQUITH: The present arrangements were made in pursuance of the recommendations of a joint committee as lately as 1901. If my hon. friend can satisfy me that there is a general feeling that they do not adequately provide for the dignity and convenience of Members of this House, I shall be glad to enter into communication with the Lord Great Chamberlain.

Mr. SWIFT MACNEILL (Donegal, S.): Is there any general desire on the part of Members of this House to go to the House of Lords just now ?

Mr. BYLES: Does the right hon. Gentleman fully recognise that the Members of this House are rather scurvily treated when duty obliges them to accept the hospitality of the House of Lords ?

[No Answer was returned.]

BUSINESS OF THE HOUSE.

Mr. A. J. BALFOUR (City of London) asked what Bills the Government proposed to take that night after the Lords' Amendments to the Children Bill had been disposed of.

Mr. ASQUITH: We propose to take seriatim the Orders of the day.

Mr. FORSTER (Kent, Sevenoaks): Will the right hon. Gentleman make a special effort to make progress with the Hops Bill ?

Mr. ASQUITH: The moment that I am satisfied that the Hops Bill is uncontroversial, the Government will give it all consideration.

Sir F. BANBURY (City of London): How many Bills are to be taken to day ?

Mr. ASQUITH: As many as we can get within a reasonable time.

Mr. COURTHOPE: Are we to understand the Hops Bill will not be proceeded with unless the Amendments on the Paper are withdrawn ?

Mr. ASQUITH: It will not be proceeded with unless I am satisfied it will be treated generally as an agreed measure.

Mr. CARLILE (Hertfordshire, St. Albans): What is the right hon. Gentleman's definition of a "reasonable time" ?

[No Answer was returned.]

Mr. MOONEY (Newry): Is there any intention of proceeding with any one of the three Irish Bills on the Paper for to-day ?

Mr. ASQUITH: Yes, sir. We hope to get the Constabulary (Ireland) Bill.

Mr. MOONEY: Is the right hon. Gentleman aware a promise was given of a day's notice before this Bill was taken ?

Mr. ASQUITH: I am not aware of that; I hope we may proceed with the Bill.

STANDING ORDERS.

Ordered, That the Standing Orders, as amended, be printed. [No. 366.]

INCEST BILL.

Lords' Amendments to be considered To-morrow, and to be printed. [Bill 406.]

CHILDREN BILL.

Order for the Consideration of the Lords' Amendments read.

*The UNDER-SECRETARY of STATE for the HOME DEPARTMENT (Mr. Herbert Samuel, Yorkshire, Cleveland) said that six out of seven of the Amendments were drafting Amendments which were inserted in another place on the Motion of the Government. The House must remember that a measure so long and complex must necessarily give rise to very numerous points of drafting. Although to a great extent it was a consolidation measure, it should be remembered that there was hardly a single clause which was purely a consolidation clause. Of the numerous Amendments, which filled fifteen pages of the Paper, only about twenty were more than mere drafting Amendments, and as they came to them he would rise and say a few words of explanation. Only five raised points of real substance, apart from the Amendments on the Scottish and Irish clauses. He should move to disagree with the Lords' Amendment on page 19, line 21, which dealt with the class of persons to inspect voluntary homes, and he should propose an alteration to the Lords' Amendment on page 30, lines 10 and 11.

Motion made, and Question proposed, "That the Lords' Amendments be now considered."

MR. A. J. BALFOUR (City of London) said that as he understood the right hon. Gentleman these many pages of Amendments were due to the fact that they were not able to deal in this House with all the points raised nor to make the Bill water-tight before it went to the other House.

Question put, and agreed to.

Lords' Amendments considered accordingly.

Lords' Amendments—

"In page 1, line 9, after the word 'parents,' to insert the words 'or having no parents.'"

"In page 2, line 31, after the word 'thereunder,' to insert the words 'Subject as aforesaid, that Part of this Act shall apply to an infant whose nursing and maintenance has been undertaken for reward before the passing of this Act in like manner as it applies to an infant whose nursing and maintenance has been so undertaken after the commencement of this Act, and as if any notice given under the Infant Life Protection Act, 1897, had been a notice given under this Part of this Act.'"

"In page 3, line 17, after the word 'proper, to insert the words 'nursing and.'"

"In page 3, line 18, after the word 'their,' to insert the words 'nursing and.'"

"In page 4, line 12, after the word 'obstructs,' to insert the words 'or causes or procures to be obstructed.'"

"In page 4, line 19, after the word 'Act,' to insert the words 'or the Infant Life Protection Act, 1897.'"

Agreed to.

Lords' Amendment—

"In page 4, line 22, after the word 'insanitary,' to insert the words 'or has been removed under the Infant Life Protection Act, 1897, by reason of the premises being so unfit as to endanger its health.'"—

MR. H. J. TENNANT (Berwickshire) said he would move to disagree with the Lords in this Amendment in order to ask whether it was in accordance with the Under-Secretary's desires.

*MR. HERBERT SAMUEL said it was purely a drafting Amendment. The reasons for which a child could be removed from the care of a baby-farmer under this Act were slightly different, rather in language than in substance, from those under the Act of 1897, and the Amendment was merely to show that the Bill applied to both categories of children.

Agreed to.

Lords' Amendments—

"In page 4, line 23, after the word 'person,' to insert the words 'who has been.'"

"In page 4, line 24, after the word 'or,' to insert the words 'under the Prevention of Cruelty to Children Act, 1904.'"—

Agreed to.

Lords' Amendment—

"In page 4, lines 25 to 27, to leave out the Paragraph (*d*)."

*MR. HERBERT SAMUEL said the reason for the omission of this paragraph was that it had been thought that a local authority ought not to have power of its own motion to declare certain persons unfit to have the care of infants. It was really almost a judicial procedure, for which local authorities were not very well qualified. The clause, as a matter of fact, provided that local authorities could declare that any person should be unfit to have the care of an infant if an infant had already been removed from that person on the ground that the premises were unfit or that the child was badly treated, or if the person had been convicted of an offence against the Act for the prevention of cruelty to children. Paragraph (*d*) was, therefore, unnecessary, and was thought to give a somewhat excessive power.

Agreed to.

Lords' Amendments—

"In page 4, line 28, after the word 'keeping,' to insert the words 'or causing to be kept.'"

"In page 5, line 3, to leave out the words 'its care and maintenance,' and to insert the words 'care of it.'"

"In page 5, line 12, after the word 'obstructing,' to insert the words 'or causing or procuring to be obstructed.'"

"In page 6, line 4, to leave out the words 'such a person,' and to insert the words 'or the benefit of such a person as aforesaid or to any person on his behalf.'"

"In page 6, line 5, to leave out the words 'or other,' and to insert the words 'society or.'"

"In page 6, line 9, after the word 'false,' to insert the words 'or misleading.'"

"In page 6, lines 20 and 21, to leave out the words 'to a fine not exceeding twenty-five pounds or.'"

Agreed to.

Lords' Amendment—

"In page 6, line 22, after the word 'months,' to insert the words 'or to a fine not exceeding twenty-five pounds.'"

Mr. H. J. TENNANT said that as far as he could make it out the Amendment was doing away with the fine. He did not know whether the House thought this was an offence where persons ought to be without the option of a fine.

*Mr. HERBERT SAMUEL said the Bill as it stood read that a person should, on summary conviction, be liable to a fine not exceeding £25, or to imprisonment for a term not exceeding six months. That was unusual wording, for as a rule the imprisonment went first and the fine afterwards, and the effect of the Amendment was that a person should be liable to imprisonment or a fine; it did not omit the fine.

Agreed to.

Lords' Amendments—

"In page 8, line 10, after the word 'fails,' to insert the words 'to take steps.'"

"In page 8, lines 14 and 15, to leave out the words 'to the child or young person,' and to insert the words 'or the likelihood of such suffering or injury to health.'"

"In page 10, line 15, to leave out the word 'habitually.'"

Agreed to.

Lords' Amendment—

"In page 10, line 29, to leave out the word 'encourages.'"

*Mr. HERBERT SAMUEL said this was slightly more than a drafting Amendment. It was proposed to re-insert the word "encourages" later on. The word left out was "favours." The alteration was made in the Motion of the Lord Chief Justice on the ground that "favours" was unduly vague in view of the infliction of such severe penalties.

Agreed to.

Lords' Amendments—

"In page 10, line 30, to leave out the word 'favours,' and to insert the word 'encourages.'"

"In page 10, line 34, to leave out the word 'favoured,' and to insert the words 'caused or encouraged.'"

"In page 10, line 35, after the word 'girl,' to insert the words 'who has been seduced or become a prostitute,' and to leave out the words 'conduced thereto by,' and to leave out the word 'allowing,' and to insert the word 'allowed.'"

"In page 10, line 37, to leave out the word notoriously,' and to insert the word 'known.'"

"In page 12, line 19, to leave out the words 'Part of this.'"

"In page 13, line 9, after the word 'and,' to insert the words 'that Court or any Court of like jurisdiction.'"

"In page 14, line 34, to leave out the word 'by,' and to insert the word 'under.'"

"In page 15, line 37, after the word 'Court, to insert the words 'which made the order or any Court of like jurisdiction.'"

Agreed to.

Lords' Amendment—

"In page 17, line 21, to leave out from the word 'purpose,' to the end of the subsection, and to insert the words 'Provided that such persons shall be either inspectors or assistant inspectors of reformatory and industrial schools, members of the medical profession, or persons of experience in the management and training of children.

Read a second time.

*Mr. HERBERT SAMUEL said this was the only Amendment with which he should ask the House to disagree. He thought their Lordships had misunderstood what was really the purpose of Clause 25 of the Bill, and had inserted provisions which went far beyond the intentions of that clause. There were, at present, a number of charitable institutions existing for the care and maintenance of children. Cases occurred, however, in which these homes, diverted from their original purpose or even conforming to an original purpose which was evil, became places run for profit, where children were neglected, where cruelties sometimes occurred, and where profits were made from the subscriptions of the charitable, for the benefit of the persons maintaining those institutions. Under the law as it at present stood, there was no power for anyone to enter a home unless he got a magistrate's warrant. Any evil might go on, but although, for instance, the Society for the Prevention of Cruelty to Children might hear rumours that all was not well in an institution, unless they could convince a magistrate that there was cause for the issue of a warrant they could not get any power of entry. To meet that admitted evil, they inserted words in the Bill to the effect that there should be a right of entry, that persons should be authorised to visit and inspect these homes which were supported wholly or partly by voluntary contributions, homes, that is, which were not liable to be inspected by any Government Department, such as industrial schools or institutions receiving grants from the Local Government Board. It was not intended to establish any staff of Government Inspectors for this purpose; the case did not warrant it. The evils in view were, happily, exceedingly few. The homes, on the other hand, which received children were very numerous; there were many hundreds belonging to all denominations all over the country, and if they were to impose on a Government Department the duty of inspecting all these homes they would be imposing on the State a financial charge which the circumstances of the case did not warrant. Besides there was no precedent for requiring inspection of this character where there was no Government grant, and if there was no grant an inspecter could not require the managers of a home to improve the accommodation, because he could not make the refusal to conform to his requirements the ground for withholding a Government grant. No one proposed that there should be a Government grant to benevolent institutions of this kind, and therefore, after consultation with the persons interested, they proposed in the Bill that the persons who should have the power of entry should be the officers of a society for the reception or protection of poor children or for the prevention of cruelty to children, subject to such conditions as the Secretary of State might prescribe, and the officers to be specially authorised by the Secretary of State. In other words, they proposed that the Inspection of Homes Association, which already existed, and under which a number of homes were now voluntarily inspected, should be given powers by the Secretary of State for their officers to visit these charitable institutions where they thought it necessary, and further that selected officers of the Society for the Prevention of Cruelty to Children should also be empowered by the Secretary of State to perform these functions. There was a provision in the clause to the effect that where any such institution was carried on in accordance with the principles of a particular religious denomination, the Secretary of State should, if so desired, appoint a person of that denomination to visit such institution, so that the susceptibilities of the Roman Catholics were especially considered, after consultation with them. The House of Lords proposed to omit the words providing that officers of a society might be appointed by the Secretary of State to perform this function, and in place thereof to insert a provision that such persons should be inspectors or assistant inspectors of reformatory or industrial schools, members of the medical profession, or persons of experience in the management and training of children. With regard to the inspectors and assistant inspectors of reformatory or industrial schools, they already had very nearly as much as they could do, and they would probably be called upon to inspect the places of detention provided under the Bill, so that it would be impossible for them to visit numbers of institutions in the country, still less to perform the police function of keeping a watch on institutions where it was suspected that something wrong might be going on. With regard to members of the medical profession, it was extremely unlikely that they would be able to obtain doctors to perform this function, and with reference to the "persons of experience in the management and training of children," those words, while very wide, were not nearly so good as the original words in the Bill. Certainly all the inspectors of the societies they had in mind were persons with this experience. They did not want to perform the purpose they had in view by a side-wind, and they thought it better to express in the clause what really was its purpose. He had no reason to think the House of Lords would object to the omission of this subsection, he did not imagine that it would give rise to any grave constitutional conflict between the two Houses.

Motion made and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Herbert Samuel.*)

*SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said that the point raised by this Amendment was, if he remembered rightly, one which was considerably discussed in Committee, and he did not think that everyone present in Committee would quite agree with the right hon. Gentleman that this was an Amendment due to a misunderstanding by the Lords. The right hon. Gentleman had brought forward as an argument against the Amendment that it would be impossible to carry out this inspection, and, secondly, that it would be improper to ask the schools to submit to the visits of these inspectors because no grant would follow their inspection. After all, the main thing was that those institutions, of whatever sort they were, were to be subject to inspection, and surely they were beginning an entirely new move in placing this system of inspection in the hands of persons who were the servants of voluntary and private societies. It was this to which the right hon. Gentleman asked them to give their consent by refusing to agree with the Amendment of the House of Lords. It was surely a new thing that those charitable institutions were to be inspected not by officers of the State, who were under discipline and had directions as to how they were to act, and who were answerable as to their conduct to the Secretary of State and ultimately to Parliament, but by self-elected busybodies. [Cries of "No, no."] He was not using the word without reason. No doubt they were selected by the right hon. Gentleman for the particular duty for which they were appointed, but they were men and women who were elected by private benevolent societies. He did not wish to decry these societies; but they had their denominational prejudices, and a general bias in visiting these voluntary institutions which did not altogether agree with their views. They ought not to begin a new epoch of inspection by handing over these institutions to busybodies appointed by private voluntary societies. The reason which the right hon. Gentleman gave for this departure was that they could not get persons of proper qualifications to take up the duty of inspection; that they could not get qualified medical men or persons experienced in the training of children to undertake the duty. Surely the argument failed. If inspectors were to visit those institutions with the authority of the Secretary of State, let them be paid by the public Department to which they would be responsible. He defied the Government to make themselves responsible for any vexatious investigations which these voluntary inspectors might make, prompted, it might be, by sectarian or denominational influences. Therefore he wished the House to agree to the Lords' Amendment.

SIR F. BANBURY (City of London) said that the right hon. Gentleman the Under-Secretary for the Home Department stated as a reason why he disagreed with the Lords' Amendment that he was sure that the House did not wish to set up a new Government Department, with all its expenses, in order to make these inspections. He quite agreed with the right hon. Gentleman's contention if that were to be the result the acceptance of the Lords' Amendment. But he would point out that the whole clause as amended by the Lords was optional, that the Secretary of State might appoint inspectors if he thought fit. The clause, as now amended, ran—

> "The Secretary of State may cause any institution for the reception of poor children or young persons, supported wholly or partly by voluntary contributions, and not liable to be inspected by or under the authority of any Government Department, to be visited and inspected from time to time by persons appointed by him for the purpose."

That was to say, that the Home Secretary might appoint anyone he liked. Then the clause went on to say that such persons appointed as inspectors, should be either inspectors or assistant inspectors of reformatories and industrial schools, members of the medical profession, or persons of experience in the management and training of children. The whole thing was permissive. The Secretary of State might appoint anybody he liked. The Lords' Amendment would only limit the choice of the Secretary of State to certain classes of people. The first two classes, he thought, would be rather difficult to obtain, and in that he agreed with the right hon. Gentleman. As to the third class, "persons of experience in the management and training of children," he had no doubt that there were many excellent people interested in particular societies who were often most active in that regard, and who might come under the description of "busybodies," and he did not think it would be advisable to appoint these people for the purposes of inspection. But he thought that it might be left to the discretion of the Secretary of State to appoint anyone he liked rather than limit him to the appointment of an individual belonging to a particular society. For these reasons he would have much pleasure in agreeing to the Lords' Amendment.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY Liverpool, Exchange) said that this clause enabled the Secretary of State to appoint, if so desired by the managers of any institution which was carried on in accordance with the principles of any particular religious denomination, where practicable, a person of that denomination to visit and inspect the institution. He had himself been for fifteen years President of the Society for the Prevention of Cruelty to Children in Dublin, and he could testify from experience the enormous amount of good that had been done to the poor of Dublin by the inspectors of that society. They were all excellent men, well qualified to do the work; although they were not medical men. They were very often ex-soldiers or ex-constabulary men, at any rate men in a responsible position of society, and he thought that the clause as originally passed would greatly increase their powers of doing good work. It would be economical to appoint them, and also greatly increase the usefulness of such societies to which he had referred. He thought that the Secretary of State might be trusted to see that proper persons were appointed, and therefore he believed that it was best to retain the clause as it originally stood in the Bill, and that the Lords' Amendment should be disagreed with.

LORD EDMUND TALBOT (Sussex, Chichester) said he supported the right hon. Gentleman the Attorney-General for Ireland. He confessed that he thought that the words in the original Bill were very much better than the Amendment inserted by the Lords. It appeared to him that the control of the Secretary of State was perfectly safeguarded.

MR. RAWLINSON (Cambridge University) said that he supported the Lords' Amendment because it dealt with the description of the men who were to be appointed inspectors, that was, that they were to be either inspectors or assistant inspectors of reformatory and industrial schools, members of the medical profession, or persons of experience in the management and training of children. He insisted that under that power the Secretary of State, if he chose, could appoint a member of any particular society, such as was referred to by the Attorney-General for Ireland.

*MR. HERBERT SAMUEL: Where the special directions of Parliament are given.

MR. RAWLINSON went on to contend that if a man was appointed, on his merits, an inspector by an official of the State, then the latter would be responsible for him, and it would be better than if he were appointed as an officer of a particular society. Surely it was better to appoint a man on his merits than as an officer of a particular society.

*MR. NAPIER (Kent, Faversham) said that possibly the Lords' Amendment was not inconsistent with the Bill as it was originally drawn, and he thought there would be no contravention of the original intention of the Government if, instead of accepting that part of the Lords' Amendment which struck out of the clause these words, they tacked on at the end a slight addition. The intention of the Government was that the persons nominated by the society, and adopted by the Government, should be persons of experience. One could see that the words at the end of the Lords' Amendment, "or persons of experience in the management and training of children," might possibly rule out the ordinary inspector of one of these societies. He would not necessarily be a person of experience in the management and training of children, and one supposed, therefore, that strictly he would not be deemed to come within the Lords' Amendment. But the Government desired, and rightly desired, that the inspectors of these societies should be nominated by them, and entitled in certain instances to inspect. That intention could be perfectly carried out if the Government were to move the acceptance of the Lords' Amendment with a slight alteration of the phraseology, by substituting, instead of the words "or persons of experience in the management and training of children," the words "persons of experience with respect to the management and training of children." That would enable them to appoint persons who had not themselves taken part in the management and training of children, but who had from time to time inspected homes of this character, and who would, therefore, be excellent judges. In that way he thought the Lords' Amendment might naturally give effect to what the Government desired.

MR. STUART WORTLEY (Sheffield, Hallam), was understood to say that the right hon. Gentleman had quite rightly pointed out that it was a well-known Departmental rule that if Parliament had indicated a certain desire or given instructions they should be obeyed administratively by any Department. His difficulty was that a Department, if they left these words almost directly referring to the officers of a particular society, would feel it was practically incumbent upon it to limit its action to those officers. He agreed that those institutions which claimed to supersede the parental office to some extent, and which invited public subscriptions for that purpose, did not stand altogether in the position of private institutions, and they were all agreed that abuses, where they existed, must be put a stop to; but it was rather an important matter to remember that they should not allow premises to be entered, if necessary, by force, and persons put on their risk if they refused entry, except by public officers. The reason why he rather preferred the formula adopted by the House of Lords to that in the Bill as it left the Commons was that they had indicated that he was to be a public officer. The hon. Gentleman had admitted that these cases were very few and far between, so that the financial consideration could not have much weight, and he was sure that the able officer would be found who was ready and willing to undertake this duty. It was, to his mind, however, not quite a satisfactory thing to think that they might appoint to examine what was going on under one society the officers of another. He could not think however, that there would be any sectarian prejudices, because he could not imagine any Secretary of State being so ill-advised as to make an appointment which would result in such a state of things. On the whole, however, he preferred the formula of the House of Lords.

*SIR FRANCIS CHANNING (Northamptonshire, E.) said it was perfectly true, as the right hon. Gentleman had pointed out, that the Amendment of the House of Lords gave an alternative of other inspectors or persons of experience, but he would appeal to those who had considered the effect of drafting in provisions of this kind to take into account that if they introduced a specific description in a clause they undoubtedly limited its effect. The risk of any sectarian interference was entirely excluded by subsection (3) of the clause, and he would point out to those non. Members who took exception to the clause, as proposed by the Government, that these homes were of extremely varying types, both as to the religious denominations that started them and the objects to which they were directed, and they varied in a great many other circumstances. He thought the attempt to limit or prescribe was a mistake, and it was better to leave a perfectly free hand to the Secretary of State to select the class of persons who could deal most advantageously and most properly with this most serious and difficult question of inspection. He thought it would be a very great mistake if that free hand were not given to the Secretary of State.

MR. BOWLES (Lambeth, Norwood) agreed that the Secretary of State should have a free hand, and said it was for that reason he earnestly supported the Amendment which had come down from the other House. It appeared to him that the Amendment, so far from limiting the discretion of the Secretary of State, enormously, and, as he thought, wisely and properly increased it. The Attorney-General for Ireland had told them that certain societies in which he was interested, the Society for the Prevention of Cruelty to Children, and the Society for the Protection of Homes, did good work and were excellent societies. That might well be, and if the Secretary of State desired to appoint one of the officers of these societies there was nothing to prevent him from doing so, so long as the person was one who had experience in the management and training of children. He did not know whether that was considered to be an improper limitation, but to him it appeared a very proper one. But what was the real objection to the Amendment? He had often heard it said outside the House that many clauses of the Bill had really, and in fact, been dictated a good deal less by regard for the children and the interests concerned than by regard for the interests of certain societies such as those which had been mentioned. He, for his part, did not feel, and he thought the House of Commons ought not to feel, any such obligation to societies dependent upon public subscriptions in competition with others. This clause was drawn and, it could not be denied, if it was carried out, would and must have that effect. For his part, he agreed that it seemed to limi the appointments to this very difficult office to officers of these two societies. That was really what it came to. It limited the appointment to people who might be the very worst possible people.

*MR. HERBERT SAMUEL: It is not limited to them.

MR. BOWLES said the right hon. Gentleman would not deny that it gave a direction to the Home Office which the Home Office would find it difficult not to carry out.

*MR. HERBERT SAMUEL: If this system proves unsatisfactory it can be changed.

MR. BOWLES said then they were to take the risk of its turning out unsatisfactory. The officers of these private societies would be under two allegiances. They would have, in the first place, an allegiance to the Government and the Secretary of State, and, in the second place, their duty to the society, who, he supposed, maintained them. That was a very bad thing for the public interest, on general grounds. The clause did not say that the Secretary of State "shall" cause an institution to be inspected. It said he "may" cause. How was it to be found out that an institution was being carried on in such a way as to need inspection? Everybody knew that complaints would be made by these very officers whom he was going to appoint to find out whether the complaints were well founded. That was a position which the House ought not to sanction, and if it was done, at any rate it ought to be done on the responsibility of the Secretary of State in each case, and not upon a general order or direction of the House. He could not conceive of any reason which would induce any Government or any person to resist this Amendment in the interest of the children. He certainly saw no reason at all, except that which he was bound to say was not without operation, or had not been without operation in some portions of the Bill, namely, a desire not so much in the interests of the children as to hoist up the powers, already great, of one or two of the most admirable institutions the country could boast of. He thought this was a very good and proper Amendment, and if it went to a division he should support it.

MR. BARRIE (Londonderry, N.) supported the Lords' Amendment, knowing what he did of the work of the National Society. That society, he was satisfied, had no desire to have a monopoly of these appointments. They only desired that where certain institutions not unknown to hon. Members of the House were suspect, they should have power to remove that suspicion. The excellent work which the society was doing was common knowledge, and as one of those responsible for the appointment of these officers he thought the Government was fortunate in having the assistance of such persons. He supported the Amendment in the interest of the children who had not been properly cared for.

Question put.

The House divided :—Ayes, 198 ; Noes, 41. (Division List No. 455.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Baker, Joseph A. (Finsbury, E.)
Barker, Sir John
Barlow, Percy (Bedford)
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd)
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gill, A. H.
Ginnell, L.
Gladstone, Rt Hn. Herbert John
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Robert V. (Montrose)
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur, A.
Hazel, Dr. A. E.
Hemmerde, Edward George
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Horniman, Emslie John
Howard, Hon. Geoffrey
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kearley, Sir Hudson E.
Kekewich, Sir George
Kettle, Thomas Michael
Kincaid-Smith, Captain
Lambert, George
Lamont, Norman
Lehmann, R. C.
Levy, Sir Maurice
Lloyd-George, Rt. Hon. David
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
M'Crae, Sir George
M'Laren, H. D. (Stafford)
Marnham, F. J.
Molteno, Percy Alport
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Murray, Capt. Hn A. C. (Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Kelly, James (Roscommon, N
Parker, James (Halifax)
Pearce, William (Limehouse)
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n)
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland
Scott, A. H. (Ashton-under-Lyne
Sears, J. E.
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry

Smeaton, Donald Mackenzie
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Talbot, Lord E. (Chichester)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Toulmin, George
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Ward, John (Stoke-upon-Trent)
Waring, Walter
Warner, Thomas Courtenay T.
Wason, John Cathcart (Orkney)
Watt, Henry A.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. Dundas (Dumbart'nsh.
White, Sir Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Wilson, Hon. G. G. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Yoxall, James Henry

Tellers for the Ayes—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Acland-Hood, Rt Hn. Sir Alex F.
Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Balcarres, Lord
Banner, John S. Harmood-
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cecil, Lord R. (Marylebone, E.)
Collings, Rt. Hn. J. (Birmingh'm)
Courthope, G. Loyd
Cross, Alexander
Fell, Arthur
Goulding, Edward Alfred
Hunt, Rowland
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Mason, James F. (Windsor)
Morpeth, Viscount
Pease, Herbert Pike (Darlington
Pretyman, Ernest George
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Smith, Abel H. (Hertford, East)
Stanier, Beville
Staveley-Hill, Henry (Staff'sh.
Talbot, Rt Hn. J. G. (Oxf'd Univ.
Valentia, Viscount
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-

Tellers for the Noes—Sir Frederick Banbury and Sir Henry Craik.

Lords' Amendment—

"In page 17, line 22, to leave out the words two justices,' and to insert the words 'one justice.'"

Agreed to.

Lords' Amendment—

"In page 22, lines 3 and 4, to leave out the words 'and that person did not plead guilty or admit the truth of the information.'"

*Mr. HERBERT SAMUEL pointed out that although a person might not be able to deny his guilt he should have a right to appeal on the ground that his sentence was unduly severe.

Agreed to.

Lords' Amendments—

"In page 17, to leave out Clause 34."

"In page 23, line 19, after the word 'person,' to insert the following new subsection: '(3) This Part of this Act shall apply in the case of a child or young person who has, before the commencement of this Act, been committed to the care of a relative or other fit person by an order made under the Prevention of Cruelty to Children Act, 1904, as if the order had been made under this Part of this Act.'"

Agreed to.

Lords' Amendment—

"In page 23, line 30, to leave out the words 'or other person having the powers of a constable and.'"

*Mr. HERBERT SAMUEL did not move to disagree with this Amendment, which only had to deal with a very small class of persons who had the power of constables, such as railway and market constables. It was thought by the other House that it was not desirable that those people should have the power of seizure of tobacco.

Agreed to.

Lords' Amendments—

"In page 23, line 36, to leave out the words 'any other person,' and to insert the words 'a park-keeper.'"

"In page 23, line 37, to leave out the words 'that person,' and to insert the word 'he.'"

"In page 24, line 1, to leave out the words 'Provided that,' and to insert the words 'and,' and after the word 'constable,' to insert the word 'or.'"

"In page 24, lines 1 and 2, to leave out the words 'or other person as aforesaid.'"

"In page 24, line 2, to leave out the word 'not,' and to leave out the word 'person,' and to insert the word 'boy.'"

Agreed to.

Lords' Amendment—

"In page 24, line 3, after the word 'smoking,' to insert the words 'but not a girl.'"

Read a second time.

*MR. HERBERT SAMUEL said that this Amendment raised the great question of the right of search. Students of international law would know that the right of capture was generally held to involve the right of search. He gladly accepted this Lords' Amendment, which restored to the constable the right of search, the omission of which, at the instance of some hon. friends, he had been obliged to move.

Motion made, and Question proposed, "That this House doth agree with Lords in the said Amendment."

MR. JESSE COLLINGS (Birmingham, Bordesley) supposed it was useless to do more than protest against this arbitrary Amendment. It was, he was bound, to say, almost a new departure to give an ordinary constable power to search a lad. It was to him a most repulsive thing, and was entirely at variance with his ideas of police.

SIR F. BANBURY said that, so far as he could read the Amendment, the effect would be that the constable would have the power to search a lad, but not a girl. ["Hear, hear."] An hon. Member said "Hear, hear." As he understood, this power was given because the Government and their supporters were of opinion that smoking was deleterious to persons under sixteen years of age. Were the Government not of opinion that it was deleterious to a girl as much as to a boy? He quite agreed that the search was a very great alteration in the customs and habits of the English people, but if it was deleterious to a boy under sixteen, and if it was necessary in order to prevent it, to give powers of search to a constable, why not give the same power with regard to girls? Why should a girl have a privilege which a boy did not? What would a "suffragette" say to that? He understood that right hon. Gentlemen on the Treasury bench advocated the equality of the sexes. He generally desired to agree with the Lords in most of their Amendments, and the right hon. Gentleman did not, but in this case he hoped he would not agree with the Lords, or if he did, that he would make the Amendment a sensible and proper one to apply to all young people, irrespective of sex, or appoint female inspectors for female children who smoked. They were coming to this that they would all be inspected, whoever they were, on every possible and conceivable occasion. If this was the dreadful fate which was in store for the younger generation, he hoped his right hon. friend and himself would have passed away long before it came about. He besought the Government to be fair and just to both sexes, and put the same limitation upon the female sex as upon the male.

Question put, and agreed to.

Lords' Amendments—

"In page 24, line 25, to leave out the word 'uniformed.'"

"In page 24, line 26, after the word 'messenger,' to insert the words 'in uniform.'"

"In page 24, line 30, to leave out the word 'any,' and after the word 'material,' to insert the words 'in such form as to be capable of immediate use for smoking.'"

"In page 25, line 25, after the word 'period,' to insert the words 'and, when used in reference to proceedings for the purpose of enforcing an attendance order, includes any person who, by virtue of any enactment, is deemed to be a child for the purposes of the Education Acts, 1870 to 1907.'"

Agreed to.

Lords' Amendment—

"In page 29, line 6, to leave out the words 'Court of Summary Jurisdiction,' and insert the words 'Petty Sessional Court.'"

*MR. HERBERT SAMUEL said there were several Amendments to this effect, which were slightly more than drafting, and he ought to explain them. In certain Acts passed previous to 1879 a single magistrate not sitting in a Court-house had the powers of a Court of Summary Jurisdiction with regard to certain offences. They thought a single magistrate sitting in his own private room ought not to have in any circumstances the large powers which were contained in this reformatory and industrial school part of the Bill, and that they ought to be limited to

Petty Sessional Courts properly constituted. For that reason they had made that alteration in the wording of the existing law in order to effect that purpose.

Agreed to.

Lords' Amendment—

"In page 29, line 20, to leave out the words 'commute the order to such sentence of imprisonment,' and insert the words 'in lieu of the detention order make such order or pass such sentence.'"

*MR. HERBERT SAMUEL said this was in order to enable the Court, if it thought fit, instead of passing a sentence of imprisonment, to make a probation order under the Probation of Offenders Act.

Agreed to.

Lords' Amendments—

"In page 29, lines 21 and 22, to leave out the words 'sentence of imprisonment,' and insert the words 'order or sentence.'"

"In page 29, line 22, to leave out the words 'awarded for,' and insert the words 'made or passed in respect of.'"

Agreed to.

Lords' Amendment—

"In page 30, lines 10 and 11, to leave out the words 'other than the mother of the child.'"

Read a second time.

*MR. HERBERT SAMUEL said this was an Amendment of some importance, to which he would ask the attention of the House. The subject was discussed at very great length in the Standing Committee, and the clause in the Bill as it left the House was the outcome of that discussion. The clause dealt with classes of children who might be sent by Courts to industrial schools, sometimes on account of some small delinquency they had themselves committed, but usually for the reason that it was necessary for the protection of the child that it should be separated from bad surroundings and brought up in the better atmosphere of an industrial school. Among the classes of cases which could, under the present law, be sent to an industrial school were children who frequented the company of reputed thieves or common or reputed prostitutes. In response to many suggestions from various quarters it was thought desirable instead of the plural in that sentence to use the singular, because cases occurred where children were in the company of a single prostitute, and it was highly desirable that the child should be taken away from such company and be sent to an industrial school. It was pointed out, however, that as soon as the singular was used instead of the plural, they had this position—that the child might be sent to an industrial school if it frequented the company of its own mother who was a prostitute, although she might have the ordinary feelings of natural affection and might do her utmost to save the child from contamination. As the result of long discussion in Committee, it was decided that this should only take effect in cases where the mother of the child was not the person concerned. Other parts of the clause enabled children to be sent to industrial schools where they were liable to contamination, whether or not the person from whom the contamination might come was the mother. For instance, Paragraph (*g*) of the Bill as it left the House dealt with the case of a child when lodging or residing in a house or part of a house used by any prostitute for the purpose of prostitution, or living in circumstances likely to cause, encourage, or favour the seduction or prostitution of the child. These were wide words, but the Lord Chief Justice and others did not think they were wide enough, and objected to these words "other than the mother of the child," which applied to the previous paragraph (*f*), and they insisted, against the protests of the Government, on omitting them. They still felt, as was felt by many Members, that it was too strong a thing to say that a girl was to be taken away or might be taken away from her own mother, and sent to an industrial school, merely for frequenting the company of that mother, perhaps not living in the same house, certainly not living in any place used for the purpose of prostitution—because in that case the child could be taken away, whether the prostitute were the mother or not—but merely for frequenting the company of the mother. That, it seemed to them, gave too great a power, especially when under the Bill they made it the duty of the police for the first time to bring before the Court all the children who came within the categories specified in this Clause 59. It would therefore be the duty of the police in any case where they were aware of a child, not living in the same house, but visiting or being visited by its own mother who was a woman of immoral character, immediately to bring the child before the Court with a view to getting it committed to an industrial school. He did not, however, propose to disagree with the Lords' Amendment, but he proposed to move a consequential Amendment which would be in the nature of a compromise, and which would, he thought, effect the purpose Lord Alverstone had in view, and at the same time would safeguard the clause in the manner they desired. Lord Alverstone had in view cases in which the child might be frequenting the mother who was a prostitute, and might be exposed to contamination, but not in such a way or to such an extent as to bring the child within the category of (*g*) in the clause. Therefore, he felt these words would meet the objections entertained by the other House and would carry out their purpose—

> "Provided that a child shall not be treated as coming within the description contained in paragraph (*f*) if the only common or reputed prostitute whose company the child frequents is the mother of the child and she exercises proper guardianship and due care to protect the child from contamination."

He hoped that would meet the views of the House and would be accepted.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Sir F. BANBURY hoped he might encourage hon. Members opposite to disagree with the House of Lords. He thought if they would summon up their courage and disagree with the Lords on this Amendment, they would have the support of a great number of Members on that side of the House. The right hon. Gentleman had said truly that it was a very strong order to take away from the mother the care of her child. The mother might be anxious that the child should not be brought up in the life which she had led. One ought to consider that the feelings of the mother, even if she was a prostitute, were the same as the feelings of another mother who had had a better opportunity and not been led away into the paths of evil. But it might be very conceivable that the woman had no alternative, after having unfortunately gone astray, but to continue that particular life. She might be leading it because she was obliged to, and she might be taking all care of her child to prevent it falling into the same life. It did not follow that because a woman was a prostitute, or was even living a life of a prostitute, that she was bereft of maternal feelings and was not looking after the interests of her child. If she was not doing that, that was really living a regularly bad life and bringing her child up that way. The right hon. Gentleman had told them clause (*g*) would meet that point. All they had to fear was that possibly by some error clause (*g*) might not be put into operation. He did not think that was at all likely to arise, and if it did he would sooner that one case should escape than that such a very great trial to the feelings of a mother should occur as having her child taken away from her. He was inclined to think the Lords had erred in a small degree on the side of morality, and had not quite considered the effect of their Amendment. He hoped, therefore, the House would not agree with the Lords' Amendment. The Under-Secretary said he was in favour of a compromise. He thought it would be better if the Government took up the attitude of disagreeing with the Lords' Amendment. The Amendment was that the mother was to exercise proper guardianship and to protect her child from contamination. How were they going to find out that she did that? It would introduce an element of very great difficulty if they had to prove that she really did exercise due care. He thought that the Amendment really would not meet the object which he believed both sides of the House had at heart. He hoped that the right Gentleman would reconsider his determination and disagree with the Amendment made in another place.

MR. HUGH LAW (Donegal, W.) said in regard to the Amendment of the right hon. Gentleman, it had been suggested to him that there might be some doubt as to the person on whom the burden of proof would rest in order to show whether the mother was exercising proper guardianship. Was the proof to be given by those who proposed that the child should be sent to an industrial school, or was the burden of proof to be on the mother? In the second place, what exactly was meant by "contamination"? Had the Government in mind mental as well as physical contamination? It had been suggested to him that the word "contamination" might be taken to mean moral contamination. If there was any doubt, he would ask the Under-Secretary to consider whether it might not be necessary to add other words to make it quite clear, and he would suggest that the words "protected from defilement or contamination" might be used, the object being to make it quite clear that the word "contamination" carried the clause further than the Amendment of the right hon. Gentleman.

MR. H. J. TENNANT asked whether this was an agreed clause between the right hon. Gentleman and the Lord Chief Justice. It did not seem to him that the word "contamination" was sufficient, and the words suggested by the hon. Member for Donegal would avoid any ambiguity.

*MR. STUART WORTLEY was understood to say the danger was that a woman might be subject to the punishment of having her child taken from her against her will on the sole ground that she was leading an immoral life, and they should not forget, in dealing with this case, that there were what were called Government Grant hunters, who got grants for industrial schools by sweeping as many children as they could into them, and with the least amount of discrimination. He admitted that the case was very different where the mother failed to exercise proper guardianship, and due care to protect her child from defilement or contamination. He supported the Amendment of the right hon. Gentleman the Under-Secretary, who had succeeded in meeting the difficulty.

MR. CHERRY said that as a general rule the onus of proof rested with those who made the assertion, and as a general rule the onus of proof was on the prosecution, but if the mother wished to have her child under her own protection then she would have the benefit of the clause, and the onus of proof would be on her. It was an onus which could be very easily discharged, because if she had really been looking after her child she would be able to prove it.

MR. BONAR LAW asked whether she would have to satisfy the Court.

MR. CHERRY thought that was already in the clause.

MR. H. J. TENNANT: That was my question.

MR. CHERRY thought as the words stood that the mother would be required to satisfy the Court. No question would arise on that point. As regarded the point in reference to the word "contamination," he did not think it was a word which in law was called "a term of art." It had the ordinary meaning that any person of commonsense would put upon it. He should take it that "contamination" meant either mental or physical contamination. In reply to the right hon. Gentleman the Member for Sheffield he would point out that they were not dealing with the punishment of the mother. All that the Bill proposed to do was to save the child. He could conceive a case in which the mother would rather bear the punishment of separation from her child than see it contaminated.

MR. POWER (Waterford, E.) thought there was a great deal in the suggestion of his hon. friend the Member for Donegal. It should be made clear that the contamination was to be mental or physical, and the right hon. Gentleman's Amendment was too vague as it stood.

MR. MACLEAN (Bath) said the Amendment of the Lords altered the law as it had been for the last thirty years, and the words relating to the mother of the child had been introduced for the first time in consequence of a strong appeal made by the majority of the Committee upstairs. He had a practical knowledge of these matters, and he thought the Amendment to the Lords' Amendment as proposed by his right hon. friend fully and amply met the case.

*Mr. BYLES (Salford, N.) said that if the hon. Baronet the Member for the City went to a division, he would go into the lobby with him. He did not know how to express his strong objection to taking children from their mothers, even mothers leading immoral lives. He believed it to be the actual fact that in some cases mothers were so anxious to bring up their children well, and have them properly educated, that they resorted to habits of immorality in order that they might earn money to defray the expense of having them properly cared for and instructed. He agreed that his right hon. friend had done his best by his words of compromise between the form of the Lords' Amendment and the original form of the clause, but he should vote with the hon. Baronet opposite.

Mr. COCHRANE rather sympathised with the right hon. Gentleman opposite, but he did not like the words "from contamination," which appeared to be ambiguous and not at all easy of interpretation. The Attorney-General for Ireland, who had given an opinion, was not able exactly to define what "contamination" meant.

Mr. CHERRY: I said it was not "a word of art," and had no special meaning in law. It is a word which has an ordinary signification, that any person of commonsense would understand.

Mr. COCHRANE said the words "from contamination" did nothing to strengthen the clause. The mother was to exercise proper guardianship and due care for the protection of her child, and that would cover every contamination or any other evil. It would only weaken the clause to put in the words "from contamination." He suggested the omission of those words.

*Mr. HERBERT SAMUEL said all words were open to criticism, and he thought the proposal of the hon. Gentleman to leave out the words "from contamination" would also possibly be open to objection, because no one would know what the child was to be protected from. On the advice of his right hon. friend the Lord Advocate and his right hon. friend the Attorney-General for Ireland, he thought it would be better to leave the Lords' Amendment as it stood.

Question put, and agreed to.

Consequential Amendment made—

"In page 30, line 20, at the end, by inserting 'provided that a child shall not be treated as coming within the description contained in paragraph (f) if the only common or reputed prostitute whose company the child frequents is the mother of the child and she exercises proper guardianship and due care to protect the child from contamination.'"—(*Mr. Herbert Samuel.*)

Lords' Amendments—

"In page 30, line 17, to leave out the word 'child,' and to insert the word 'person.'"

"In page 30, line 22, after the word 'Court,' to insert the words 'of Assize or Quarter Sessions or a Petty Sessional Court.'"

"In page 30, line 29, to leave out the words 'Court of Summary Jurisdiction,' and to insert the words 'Petty Sessional Court.'"

"In page 31, line 29, to leave out the words 'Court of Summary Jurisdiction,' and to insert the words 'Petty Sessional Court.'"

"In page 32, line 20, to leave out the words 'young person,' and to insert the words 'person apparently of the age of fourteen or fifteen years.'"

"In page 32, after Clause 60, to insert Clause (*a*): '(*a*) Where under the provisions of this Part of this Act an order is made for the committal of a child or young person to the care of a relative or other fit person named by the Court, the Court may, in addition to such order make an order under the Probation of Offenders Act, 1907, that the child or young person be placed under the supervision of a probation officer. Provided that the recognizance into which the child, if not charged with an offence, or the young person is required to enter, shall bind him to appear and submit to the further order of the Court.'"

"In page 32, line 30, to leave out the words 'herein-after,' and to insert the words 'in this Act.'"

"In page 33, line 2, after the word 'shall,' to insert the words 'subject to the provisions of this Act with respect to the determination of the place of residence of a youthful offender or child.'"

"In page 34, line 34, to leave out the words 'or a Court of Summary Jurisdiction.'"

"In page 34, line 35, to leave out the words 'or Court of Summary Jurisdiction.'"

"In page 36, line 27, after the word 'liable,' to insert the words 'on summary conviction.'"

Agreed to.

Lords' Amendment—

"In page 38, line 28, after the word 'service,' to insert the words 'including service in the Navy or Army.'"

*MR. HERBERT SAMUEL said this was purely a drafting Amendment, inserted to remove any possible ambiguity as to the meaning.

Agreed to.

Lords' Amendments—

"In page 40, lines 32 and 33, to leave out the words 'to a fine not exceeding twenty pounds.'"

"In page 40, line 34, after the word 'labour,' to insert the words 'or to a fine not exceeding twenty pounds.'"

"In page 41, line 28, after the word 'imposed,' to insert the words 'under this section,' and after the word 'local,' to insert the word 'education.'"

"In page 41, lines 28 and 29, to leave out the words 'under this section.'"

"In page 42, line 4, after the word 'local,' to insert the word 'education.'"

"In page 42, line 10, to leave out the words 'or a Court of Summary Jurisdiction,' and after the word 'local,' to insert the word 'education.'"

"In page 42, line 14, after the word 'authority,' to insert the words 'that is to say, as respects reformatory schools, the council of a county or county borough, and as respects industrial schools, a local education authority.'"

"In page 42, line 34, to leave out from the word 'authority' to the word 'a' in line 38."

"In page 43, line 17, to leave out the word 'be,' and to insert the word 'continue.'"

"In page 43, lines 17 and 18, to leave out the words 'in the school in which he is for the time being detained,' and to insert the words 'in the event of his transfer to another certified school.'"

"In page 45, line 18, after the word 'Act,' to insert as a new subsection: '(18) As respects the City of London the Common Council shall, notwithstanding anything in this section, be the local authority liable for providing for the reception and maintenance in a certified reformatory school of a youthful offender committed by a Petty Sessional Court acting in and for the City. Provided that nothing in this provision shall exempt the City of London from contributing towards the expenses incurred by the London County Council in respect of reformatory schools, but the London County Council shall in each year repay to the Common Council for each youthful offender maintained by that Council a sum equal to the average cost to the London County Council in that year of the maintenance of a youthful offender in a reformatory school for whose maintenance the London County Council are responsible, which cost shall be ascertained in accordance with the directions of the Secretary of State.'"

Agreed to.

Lords' Amendment—

"In page 45, line 19, to leave out the words 'for the time being.'"

*MR. HERBERT SAMUEL said this Amendment had been inserted at the request of the hon. Baronet the Member for the City of London. It was fully explained on the Report stage, and it simply carried out an undertaking which was then given.

Agreed to.

Lords' Amendments—

"In page 46, line 26, after the word 'made,' to insert the words 'or any Court of like jurisdiction.'"

"In page 47, lines 6 and 7, to leave out the words 'for the time being.'"

"In page 47, line 31, to leave out the word '3,' and to insert the words 'Provided that.'

"In page 50, line 2, to leave out from the word 'pay' to the end of the clause."

"In page 51, line 18, after the word 'summons,' to insert the word 'issued,' and after the word 'notice,' to insert the word 'given.'"

"In page 52, line 35, after the word 'officer,' to insert the words 'of the school.'"

"In page 52, line 36, to leave out the words 'of the school.'"

Agreed to.

Lords' Amendment—

"In page 53, line 10, to leave out from the word 'passed' to the end of the clause."

*MR. HERBERT SAMUEL said these words were inserted to give certain existing officers of the London County Council the security to which they were entitled. It had since been found that the words were superfluous because there were now no officers so entitled.

Agreed to.

Lords' Amendments—

"In page 53, line 21, to leave out the words 'Part of this.'"

"In page 53, line 22, after the word 'by,' to insert the words 'or liability imposed on.'"

Agreed to.

Lords' Amendment—

"In page 53, line 23, after the word 'child,' to insert the words 'or prevent any local authority from continuing to make any contribution which they were making before the commencement of this Act.'"

*Mr. HERBERT SAMUEL said this Amendment was to give any local authority at present making a voluntary contribution power to continue making such contribution although the authorities dealing with the matter were not the same under this Bill. There was a slight transfer of authority — for instance a county council might now contribute to an industrial school, but a county council which was now contributing and wished to continue contributing in respect of some particular child would not under this Amendment be deprived of its power of doing so because the law had been altered by this Bill and education authorities were made the industrial school authorities.

Agreed to

Lords' Amendments—

"In page 56, line 8, after the word 'revoked,' to insert the words 'by any Court of Summary Jurisdiction acting in or for the place in or for which the Court which made the order acted.'"

"In page 59, line 6, to leave out the words 'child or young.'"

"In page 59, line 7, after the word 'state,' to insert the words 'under the last two foregoing sections of this Act.'"

"In page 61, line 10, to leave out the words 'committed to,' and to insert the words 'detained in.'"

"In page 61, line 11, to leave out the words 'committed to,' and to insert the words 'detained in.'"

"In page 61, line 27, after the word 'bring,' to insert the words 'a person.'"

Agreed to.

Consequential Amendment made—

"In page 61, line 28, by inserting after the word 'coming,' the words 'or as being a person who if a child would come.'"—(*Mr. Herbert Samuel.*)

Lords' Amendment—

"In page 61, line 33, after the word 'Court' to insert the words 'in like manner as if he had been apprehended.'"

Agreed to.

Lords' Amendment—

"In page 62, line 4, after the word 'country,' to insert the words '(12) The Local Government Board may by Order transfer from the Metropolitan Asylums Board to the London County Council any buildings provided by the Metropolitan Asylums Board for the purpose of remand homes under Section 4 of the Youthful Offenders Act, 1901, together with any liabilities incurred by the Metropolitan Asylums Board in connection with such buildings, and on such transfer the buildings shall become places of detention for the purposes of this Part of this Act, and the order may also provide for the transfer of any officers employed by the Metropolitan Asylums Board in connection with such remand homes, and for securing to such officers any rights as to pension or otherwise to which they may be entitled.'"

*Mr. HERBERT SAMUEL said this Amendment provided for the proper transfer of existing buildings from the Metropolitan Asylums Board to the London County Council which in the future would be the authority for maintaining places of detention under this Bill.

Agreed to.

Lords' Amendments—

"In page 62, line 15, to leave out the words 'to,' and to insert the word 'in,' and to leave out the word 'committed,' and to insert the word 'detained.'"

"In page 62, line 20, to leave out the words 'committed to,' and to insert the words 'detained in.'"

"In page 63, line 3, after the word 'standing,' to insert the word 'joint.'"

Agreed to.

Lords' Amendment—

"In page 63, line 16, after the first word 'and,' to insert the words 'a Court of Summary Jurisdiction so sitting is in this Act referred to as a Juvenile Court. (2) Where in the course of any proceedings in a Juvenile Court it appears to the Court that the person charged or to whom the proceedings relate is of the age of sixteen years or upwards, or where in the course of any proceedings in any Court of Summary Jurisdiction other than a Juvenile Court, it appears that the person charged or to whom the proceedings relate is under the age of sixteen years, nothing in this section shall be construed as preventing the Court, if it thinks it undesirable to adjourn the case, from proceeding with the hearing and determination of the case.'"

Mr. HERBERT SAMUEL said this sub-clause had been inserted to meet the case of a child who might be found to be a few months over sixteen or a little under the age of sixteen, in which case it was obviously undesirable to begin the proceedings all over again. This Amendment would enable the Court to proceed with or transfer the case as it thought fit.

Agreed to.

Lords' Amendments—

"In page 63, lines 16 and 17, to leave out the words 'children and young persons,' and to insert the words 'persons apparently under the age of sixteen years.'"

"In page 63, line 20, to leave out the words 'child or young persons,' and to insert the words 'person apparently under the age of sixteen years.'"

"In page 63, line 1, to leave out the words 'At any such hearing,' and to insert the words 'In a Juvenile Court.'"

Agreed to.

Lords' Amendment—

"In page 63, line 33, after the word 'order,' to insert the words 'and where such an order is made the London County Council shall, if so required by the Secretary of State, provide the necessary accommodation for the purpose at any place of detention provided by the Council upon such terms as to payment and otherwise as may be agreed between the Secretary of State and the Council, or, in default of agreement, as may be settled by the Treasury. (6) Where it is proved to the satisfaction of the Secretary of State that arrangements cannot be made for the purpose of complying with this section in any place by the first day of April, nineteen hundred and nine, the Secretary of State may by order postpone the coming into operation of this section as respects that place until such date, not later than the first day of January, nineteen hundred and ten, as may be specified in the order.'"

Read a second time.

MR. HERBERT SAMUEL said it had been the intention that these Courts should be held in the places of detention, and it was thought that the remand homes would have afforded sufficient accommodation to enable the magistrates to sit there where the witnesses and officers could attend. At present the duty of providing Juvenile Courts rested with the Home Secretary, who had to provide Court Houses, but the duty of providing places of detention rested with the London County Council under this Bill. This subsection had been inserted so that there would be no friction between the Secretary of State for the Home Department and the London County Council, and the Treasury had agreed to this Amendment. The second subsection dealt with the case where a Juvenile Court could not be properly provided before 1st April. In such cases the Home Secretary would be given power to postpone the operation of this clause.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

SIR F. BANBURY asked whether it was absolutely necessary to bring in the London County Council in this particular. He did not think the County Council should be brought in in Courts of Law and places of that sort. If it was not absolutely necessary, he hoped the right hon. Gentleman would not insist upon this.

MR. HERBERT SAMUEL said that that point did not arise on this particular Amendment. In another part of the Bill the London County Council was named as the authority in cases of detention.

MR. H. J. TENNANT asked with regard to the second part of the Amendment whether it applied to London. He did not think it did. He hoped it would not be applicable to London.

MR. HERBERT SAMUEL said it was very possible that the Courts proposed to be set up would not be sufficient, and therefore it was necessary that the Secretary of State should have power to postpone the coming into force of the section in order that the necessary arrangements might be made.

MR. STUART WORTLEY asked what provision, if any, was made for the admission of the public. If in these Courts young persons were to be deprived of their liberty the Press ought to have notice of the proceedings.

MR. HERBERT SAMUEL said that question did not arise on this Amendment. It was provided for in Clause 111.

Question put, and agreed to.

Lords' Amendment—

"In page 64, line 14, to leave out the word 'January,' and to insert the word 'April.'"

MR. HERBERT SAMUEL said the machinery for bringing this Bill into operation was exceedingly elaborate. The Home Office would have to make a large number of regulations, and Orders in Council would have to be made, and it was to give the authorities time to make the arrangements required in regard to the various parts of the Bill that this alteration of the date was necessary. It was absolutely impossible to bring it into operation by 1st February next.

Agreed to.

Lords' Amendments—

"In page 64, line 21, after the word 'where,' to insert the words 'a person who, in the opinion of the Court is.'"

"In page 65, line 9, to leave out the words 'can prove,' and to insert the words 'proves.'"

Agreed to.

Lords' Amendment—

"In page 65, line 15, to leave out the words 'unfit to have care of,' and to insert the words 'not to be exercising proper guardianship over.'"

Sir HENRY CRAIK said the clause would not read unless the words "to be" were also omitted.

Mr. HERBERT SAMUEL said that could be done as a matter of printing.

Sir HENRY CRAIK said it was too serious a matter to be dealt with as a matter of printing.

Agreed to.

Consequential Amendment made—

"In page 65, line 15, by leaving out the words 'to be.'"—*Sir Henry Craik.*

Lords' Amendment—

"In page 65, line 26, after the word 'Part,' to insert the words '(3) Without prejudice to the requirements of the Education Acts, 1870 to 1907, as to school attendance or to proceedings thereunder, this section shall not apply during the months of April to September, inclusive, to any child whose parent or guardian is engaged in a trade or business of such a nature as to require him to travel from place to place, and who has obtained a certificate of having made not less than two hundred attendances at a public elementary school during the months of October to March immediately preceding, and the power of the Board of Education to make regulations with respect to the issue of certificates of due attendance for the purposes of the Education Acts, 1870 to 1907, shall include a power to make regulations as to the issue of certificates of attendance for the purposes of this section.'"

Read a second time.

Mr. Herbert Samuel.

*Mr. HERBERT SAMUEL said that this Amendment touched the part of the Bill dealing with vagrants. The clause provided that if a person was wandering about the country with his child and depriving the child of education, there would be a summary process by which the Education Act could be enforced. At present the Education Act was unenforceable in the case of those vagrants; they contemplated that a parent or guardian would reside in a district, and the child be known to the School Attendance Officer of the district; but if a man and his child went through the country, passing from the jurisdiction of one local authority to that of another, he was practically exempt from the whole of the provisions of the Elementary Education Acts. It had been felt, however, that the proposal in the Bill might be too severe on the class of respectable gipsies, of whom there were some. These people, as a matter of fact, took winter quarters, and they were willing to educate their children then. Their business required them to wander about the country in the summer months, and they thought they should not be separated from their children. It was with very much reluctance that he agreed to accept an Amendment of the clause. They did not, however, mitigate the existing law with regard to education so far as it was applicable. They mitigated the new powers supplementary to the Education Act in cases where it was shown that a child had attended school during the winter months.

"Motion made and Question proposed, That this House doth agree with the Lords in the said Amendment."

Viscount MORPETH (Birmingham, S.) asked what was meant by the words "without prejudice to the requirements of the Education Acts, 1870 to 1907, as to school attendance or to proceedings thereunder, this Act shall not apply . . ." Did the right hon. Gentleman mean that if the officers of the education committees could catch those children they should apply the usual compulsory powers as to attendance? It seemed to him that it would be better to state quite frankly that this was to a certain extent an infraction of the ordinary rules, and that it should be put down as an exception with respect to a special class of children.

*MR. HERBERT SAMUEL said there was no intention to diminish the powers of the Education Acts. The clause which had been drafted in consultation with the Education Department did not interfere with the existing law.

SIR F. BANBURY said that in the months October to March there were twenty weeks, and he did not know how they were to get 200 attendances at school from a child in that time. It could be done by counting two attendances on one day, but he did not understand that attendances were reckoned in that way.

Question put, and agreed to.

Lords' Amendment—

"In page 65, line 29, to leave out the words 'or nurse.'"

Agreed to.

Lords' Amendment—

"In page 65, line 32, after Clause 119, to insert new Clause (B): '(b) (1) The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises, except during the hours of closing. (2) If the holder of a licence acts in contravention of this section, or if any person causes or procures, or attempts to cause or procure, any child to go to or to be in the bar of any licensed premises except during the hours of closing, he shall be liable, on summary conviction, to a fine not exceeding, in respect of the first offence, forty shillings, and in respect of any subsequent offence, five pounds. (3) If a child is found in the bar of any licensed premises, except during the hours of closing, the holder of the licence shall be deemed to have committed an offence under this section unless he shows that he has used due diligence to prevent the child being admitted to the bar. (4) Nothing in this section shall apply in the case of a child who is resident but not employed in the licensed premises or in the case of premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary. (5) In this section the bar of licensed premises means any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor, and the expressions "licence" and "licensed premises" have the same meaning as in the Licensing Acts, 1828 to 1906.'"

Read a second time.

MR. FELL (Great Yarmouth) moved to leave out subsection (1). He said the clause was a familiar one, having appeared in the Licensing Bill which was before the House for some months. It was mentioned when the Bill was originally introduced, but he found no mention of it after that. There were points in the clause which required careful consideration. He did not think that that should apply to railway station refreshment rooms, and if the Government were going to omit railway station bars from the clause, his objection to it would be minimised. There were many considerations which would arise out of the clause, and they must weigh the advantages and disadvantages. There might be strong reasons why children up to the age of fourteen years should not be allowed to enter the bar of licensed premises. Certainly they should not be allowed to enter a bar for the purpose of obtaining drink for themselves. But this clause was not directed against children being within bars of public-houses for that purpose. The question then arose, what damage was done by children being on licensed premises during the open hours. He did not think that the children of the upper classes would go into any bar of licensed premises except at railway stations, and even then on very rare occasions. He had known cases of a man with his boy under fourteen years of age who came from the country, and who wished to obtain refreshment for himself at a bar, and he hoped that such a case would be covered by the Amendment. Again, supposing a man went down to the country with his family for the day, and on his return to town he wanted to have some refreshment, why should he not be permitted to take his children with him into the licensed premises, when he only desired to have a glass of beer for himself? According to this clause, he would have to leave his children outside while he went into the licensed premises to obtain his refreshment. Again, supposing there were a number of trippers down at a seaside resort, that they were on the beach, that a sudden storm came on, that they rushed to the nearest shelter which was a public-house, asked for refreshment, and had their children with them under fourteen years of age. Would these trippers have to leave their children outside in the storm while the parents were having their refreshment? Again, supposing a working man and his family were travelling and wished to obtain some refreshment at some railway station or junction, but the man could not afford to go into the railway refreshment room and desired to go to some cheaper place near by. Were the children to be left outside in such an event while the parents were obtaining their refreshment? Yet again, if a girl just over fourteen was to be allowed to go into a bar there was a tendency for such an one to exercise the privilege, and that would increase the danger that indubitably arose from the admission of young people into public-house bars. He himself did not believe that children under fourteen years of age had the slightest liking to go into public-house bars. They did not like the smell of the public-house. But his objection to the clause took a much wider and broader ground, and that was whether they were not by this kind of legislation levelling down instead of levelling up the character of licensed premises by putting a stigma on anyone entering them. There had been a great deal of discussion of late as to raising the character and tone of public-houses. He maintained that the clause would tend to lower their character. Their object should be to encourage the improvement of public-houses; to induce the licensees to make them lighter, brighter, and more cleanly; to make the houses more like the refreshment houses in France and Germany, where children might enjoy a cup of coffee while their parents were having a glass of beer or a glass of wine. The sobriety of the working classes in France and Germany was largely owing to the fact that they could take their children with them into these cafés and restaurants. He questioned on all these grounds whether the clause was a judicious one, and he doubted whether it would have the effect intended by its promoters. Unless it was amended he would be compelled to vote against it; but, if amended, it might to a great deal of good.

MR. RENWICK (Newcastle-on-Tyne) seconded the Amendment. He said this important question ought, properly, to have been dealt with in the Licensing Bill, and it was extraordinary to see that the House which had rejected that measure should have inserted this very important part of it in this Bill. He opposed the whole clause, because he thought it would inflict very serious injustice upon the poorer classes. It should be remembered that in a very large number of public-houses the bar was unfortunately the only public part of the house. It ought not to be so. The bar, as a drinking bar, ought to be done away with altogether. But the fact remained that the bars were there, and it would be a very great injustice to the poorer classes who wished to enter one of these houses for purposes of refreshment to be compelled to leave their children outside. Children would suffer less inside the house than by being left outside. In houses where the bar was not the only room in the house two prices were charged. One was known as the bar price and the other as the parlour price. A poor person who could not afford the higher price entered the bar for the purpose of getting the lower priced drink, and there he possibly saw the person who could afford to pay the higher price passing through the bar with his family on the way to the other room. That was a decided injustice, and seemed to imply that there was one law for the poor and another for the rich, but so long as public-houses remained as at present with the bar in many cases as the only room, it would be inopportune to agree to the Lords' Amendment. They ought to endeavour to arrive at a higher ideal of public-house, first doing away with the bar altogether, and then providing accommodation as it was on the Continent, where a man thought it no shame to take his wife and family to get refreshment. He begged to second.

Amendment proposed to the Lords' Amendment—

"In line 1, to leave out subsection (1.)—(*Mr. Fell.*)

Question proposed, "That the words proposed to be left out, to the word 'to,' in line 2, stand part of the Lords' Amendment."

*MR. HERBERT SAMUEL said this was a clause which he felt sure would command the very general sympathy of the House. In the other House it was passed without a word of opposition being raised against it, although full opportunity was given for discussion, and after the wanton destruction of so many good proposals in their Licensing Bill they were grateful that this measure, at least, had been saved. He thought that even the representatives of the liquor trade in the House would not object to the principle underlying the clause, which provided that the holder of the licence of any licensed premises should not allow a child to be at any time in the bar, except during the hours of closing. The hon. Member who moved the rejection of subsection (1) said that children did not frequent bars, but if he had read the Returns which were placed by the Home Office upon the Table of the House, giving the opinion of the chief constables of our great cities, he was sure he would not have made that statement. The chief constable of Birmingham said the practice of women taking infants and young children into public-houses was "general and very extensive." Ten public-houses were watched for eight hours per day for sixteen days with the result that 2,949 children were seen to be taken in by women; very many being babies in arms, and practically none over five were included in the figure. In Bristol, the chief constable said—

"My personal experience of the prevelance of the practice is backed up by the whole of my superintendents, and we are agreed that the practice of allowing children in public-houses is most disastrous."

A number of houses, 472, he said, were watched for nine hours a day, and in a fortnight 2,441 children under twelve were seen to be taken in, including 1,041 under two years old. But 15 of these 472 houses accounted for no less than 1,542 children. In London, twenty-three houses were watched for four days, and 10,746 children were taken in, 1,164 being in arms, the remainder under sixteen. The Commissioner of Police informed them that over 1,000 persons a year were arrested for being drunk while having the care of children under seven. In Manchester, twenty-four houses were watched for eight hours a day on twelve days, and 8,973 children were seen to be taken in, 6,471 being under five years of age, the remainder under fourteen. In Sheffield six houses were watched for about eight hours a day for a fortnight, and 1,181 children under six years of age were seen to be taken in. Yet the hon. Member for Great Yarmouth said it was not the practice of children to frequent the bars of public-houses. When the Licensing Bill was under discussion he went one night at about midnight to visit a large number of public-houses in the neighbourhood of Ratcliff Highway. The houses there were so thick that in the space of one hour, without hurrying, he was able to visit thirty houses, and to peep into over 100 separate bars. He found even so late as that, and it was not a Saturday night, some children there with their mothers, and in one he remembered seeing an unhappy, ragged little boy asleep on the dirty sawdust floor, while the mother was drinking with a baby asleep in her arms. Sights such as these ought not to be tolerated if it was possible to put an end to mischief of that character. Even if in some exceptional cases some inconvenience would be caused, nevertheless the good that they would do would outweigh the evil. If this clause was passed it might incidentally have a certain indirect effect in lessening the drinking of many women, for many of them were not so unnatural as to leave their children unattended. If they were not allowed to take the children into the public-houses, he felt sure that a considerable number of them would stop at home. He would point out that this clause did not prohibit the taking of children on to licensed premises. He hoped that hon. Members opposite who spoke on this clause would remember that fact. The clause did not say that the child was not to be taken on licensed premises; it said that the child was not to be taken into the bar of licensed premises as defined in the clause. The Bill forbade the taking of children to any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquors. If the bar was not an open drinking bar which was being used for the consumption of liquors, if it was a bar for "off" sale, a child might be taken there. It was important to note one point in connection with the vexed and controversial question of child messengers. The Intoxicating Liquor (Sale to Children) Act of 1901 prohibited the sale of intoxicating liquor to children under fourteen years of age save in corked and sealed vessels in quantities of not less than a pint for consumption off the premises, and where there was a *bona fide* jug and bottle department, this clause would not prevent the children from going into it for the purpose of obtaining liquor as prescribed by the statute. Hon. Members might say that they did not go far enough, and they ought to prohibit all children being on the premises altogether, but at all events, that was not the object of this clause of their Licensing Bill which was now embodied in the Bill. They provided that the child should not be exposed to the contamination of being in a drinking bar which was used mainly for drinking purposes, but the child was allowed to be on licensed premises, and could still be in the dining-room attached to a public-house, or the parlour, or any other part of the premises which was not used solely or mainly for the sale of intoxicating liquor. He knew that the hon. Member for Newcastle thought that if possible they ought to raise the character of the public-house, and indirectly he thought this would effect that, because if any licensed person desired that parents should come to his house for tea picnics he would provide a part of his premises for that purpose which would not be used exclusively or mainly for the sale of intoxicating liquor. In that way they might do something to improve the public-house. The clause did not apply to any premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence was merely auxiliary, the words being taken from the Licensing Act of 1904. They covered hotels, restaurants, and eating-houses, and he was advised that they clearly covered railway refreshment rooms, but lest there should be some doubt as to whether they did he thought it better to have it clearly stated that railway refreshment rooms were included in the exemption, and he had put down an Amendment. It had been pointed out that in Ireland the clause as it stood would cause extreme inconvenience because the majority of licensed premises in Ireland were at the same time shops for the sale of groceries, ironmongery, meat, or other articles. It would be inconvenient if children could not go into the shops for groceries, meat, or ironmongery, merely because a part of the premises was used for drinking. The Government, therefore, had put down an Amendment specially designed to meet the case of Ireland and limit the application of this clause so far as Ireland was concerned only to those licensed premises that were public-houses as we understood them in England. It had been represented to the Government very strongly by persons holding very different views as to the liquor trade in Ireland that it would be an extreme hardship if children were prevented from going into an ordinary grocers' or ironmongery or butchers' shop simply because in a portion of the premises liquor was supplied. The whole system was an evil one, but there it was, and they had to deal with it. He had another Amendment on the Paper which was little more than of a drafting character, but he could assure the House that the Government would not accept any Amendment to this clause which would in any degree run counter to the main purpose of it or which would lend itself to evasion. Parliament had frequently, on the question of liquor, drawn a clear line between the child and the adult. Under the law as it now stood, no child under the age of fourteen could be served with intoxicating liquor for his own consumption, no child under sixteen could be served with spirits for his own consumption, and no child under fourteen could be supplied with intoxicating liquor for the consumption of others unless it was in a sealed vessel. This clause carried the principle a step further. It was a most desirable clause, and he hoped the

House would support its retention in the Bill.

MR. JESSE COLLINGS found difficulty in understanding how the right hon. Gentleman could describe the effect of the clause as he had, having regard to the definition. The definition stated that a bar meant any open drinking bar or any part of the premises used mainly or exclusively for the sale or consumption of intoxicating liquor. In the great majority of the public-houses in the country districts every room was a bar under that definition, except the bed-rooms. Therefore, no child must be found in a public-house at all. This was nothing more than class legislation, because it would only be the poorer and smaller public-houses that would be affected. It was aimed at the working and poorer classes by persons who did not understand their requirements—persons who had their clubs and every convenience, and lost sight altogether of the necessities of these classes. No doubt there were to be seen sights and scenes owing to women taking their children into public-houses, and they touched the hearts of all. Everybody would be glad to do away with them if the remedy was not worse than the evil itself. But that class, after all, was a small one as compared with the 18,000,000 adult people of this country. The number who so misused their powers were the smallest possible fraction of the whole whose liberties and comfort this Bill was to affect. Because there were a few people who were lunatics, that was no reason for treating the whole community as if they were lunatics. The clause was never discussed in Committee or in the House. It was suddenly put in in the House of Lords, and now they were to accept it at the will of the Government. It was only another instance of legislation by machinery. The effect would be to destroy the liberty of the working classes. Every Saturday, and often on Sunday, the working men with their wives and families went out in brakes and vans to the country side. They wanted refreshment, and were not content with lemonade—they wanted their glass of beer. No one should discourage any movement on the part of a working man who took his wife and family with him. But under this clause, if they happened to be in the country, and had children under fourteen with them, if they wanted a glass of beer what were they to do with their children? Were they to leave them outside? To say that if a man wanted some refreshment he was not to take his children with him was a piece of tyranny that was hardly conceivable. There were hundreds of thousands of working men who had their mid-day meal brought to them—he had seen working men in the public-house with the packet of food brought to them by their wives, who invariably brought a young child or two with them. It was the only time the working men saw their children during the week. They left home when the children were asleep, and returned after they were in bed. He had seen hundreds of such cases, and the picture made by the man with his child on his knee and his wife beside him was a perfect idyll of domestic felicity, which it did one good to remember. What now must the wife do under this clause? She must leave the child outside on the doorstep, because that was what the Bill, if it were passed in this form, would effect. He was not speaking of the gin palaces and bars of London, which were comparatively few in number. He was referring to country places where the children were sent for the beer. The mother could not go, for her hands were full with her household work and with the duty of preparing the meals; nor could the father go, for he had his daily work to attend to. He did not speak on this question as a Party man. Were he to do so, he should desire nothing better than to see this clause passed, because he was quite sure that when the poorer classes came to realise how it worked there would be another strong case added to the cases which made the legislation of this Government so unpopular. There was nothing which would tell against the Government so much as this interference with the common liberties and rights of the people, which the House of Commons ought never to touch. Were they losing their sense of liberty altogether? And there was the Labour Party. He was speaking of those who talked of democracy. It was not democracy; it was tyranny masquerading in the cap of liberty. He was taught a different democracy, and he thought he had retained it. This clause interfered with the daily life and common liberties of the poor, simply because they were poor. It was another case of making poverty a crime. He felt, however, that it was useless to protest. The machine was set, and it would pass the clause. But there was an opinion behind the clause, that of the people of the country, and not of faddists, extremists, and men who had formed societies with secretaries, and all the necessary organisation of societies which made noise entirely out of proportion to their voting power. On the first opportunity, the people would make it known that they resented this interference with their common rights and liberties. In this, as in other matters, the legislation of the Government was a mistake. Let him tell the Prime Minister that it was an arch mistake to treat the voice of small sections of the community, organised into societies with secretaries, and with a voting power not by any means equivalent to the clamour they made, as the voice of the people. That was the great mistake of the Government, and one which would bring them, if it had not already brought them, to ruin. He challenged the right hon. Gentleman to deny that. The Government had taken fractions of the people, and because they were noisy and made great demands, backed up by sensational statements, they treated them as voicing the will of the great mass of the people. It was because of that mistake that they dared not go to the country, for they would find it difficult to explain or justify such a clause as this.

Mr. LEIF JONES (Westmoreland, Appleby) said the right hon. Gentleman had told them, quite unnecessarily, that working men were fond of their children. It was just because they were fond of their children that they were found supporting this clause, and he confidently challenged the right hon. Gentleman to say that the working men of the country were not in favour of this clause to keep their children out of public-house bars. The representatives of the working men in that House, one and all, supported the clause, and those of them who were in touch with the constituencies knew that letter after letter came welcoming the insertion of this clause. The reason that working men throughout the country supported this clause was that they preferred their homes to the public-house, which was so dear to the right hon. Gentleman.

Mr. JESSE COLLINGS: Is that a joke?

Mr. LEIF JONES: No, it was dead earnest. He regretted that the right hon. Gentleman was always picturing the ideal public-house, existing apparently far away in the reminiscences of his boyhood—the public-house where the father took his meal while the mother was near, and the children were playing around.

Mr. JESSE COLLINGS: Hear, hear!

Mr. LEIF JONES: But that was not a picture of the public-house in the present day, and therefore, it was that the men who knew what public-houses were, gave their support to the Government in their action on this clause. He had been in communication with the constituents of the right hon. Gentleman, with his own constituents, and with the constituents of other hon. Members. He had a telegram from the ex-Chairman of the right hon. Gentleman's own Liberal Unionist Association, who was Chairman of a meeting summoned under the auspices of the Birmingham Citizens' Committee, supporting the Licensing Bill, of which the Bishop of Birmingham was President, and which ranked among its members representatives of every denomination and every political Party, and that telegram expressed astonishment and regret at the action of the right hon. Gentleman in putting down an Amendment to reject this clause.

Mr. JESSE COLLINGS: Let me correct my hon. friend. The telegram which I received yesterday had nothing to do with this clause. It referred to my action on the Licensing Bill.

Mr. LEIF JONES: I have also a telegram,

MR. JESSE COLLINGS: I know nothing of your telegram.

MR. LEIF JONES said the right hon. Gentleman apparently receives very strange telegrams. Here was the telegram which he had received. [The hon. Member read the telegram.]

MR. JESSE COLLINGS: I spoke of my own telegram; I only wanted to correct that.

MR. LEIF JONES said he failed to see why, when he was speaking of a telegram which he had himself received, the right hon. Gentleman should continue to correct him about a telegram which had been sent to him. The right hon. Gentleman had spoken of the legislative machine, and of how this clause was supported by faddists, fanatics, and foolish persons. He had also spoken of this legislation as unwise legislation. The right hon. Gentleman forgot where the clause came from. This was one of the Lords' Amendments. He was bound to say that the right hon. Gentleman the Under-Secretary had spoken a little more respectfully of legislation emanating from such a source than he was disposed to do. He himself was at liberty to criticise their action. He did not find himself able to use the language adopted by his right hon. friend when he said he was grateful to the House of Lords for this clause. He could not express any gratitude to the House of Lords in any action they might take on the temperance question. The Lords could never undo the mischief they had done in the past. They had deliberately, of their own action, prolonged what the Leader of the Opposition called "the never ending tragedy of this country."

***MR. SPEAKER:** This has nothing to do with the measure under discussion.

MR. LEIF JONES apologised for having been carried away by his strong feeling on this matter. He was endeavouring to explain the reason why he could not join in expressing gratitude to the House of Lords because out of a whole family they had spared this one child. Personally he was a little sorry that the right hon. Gentleman had thought it necessary to put down some Amendments to the clause, because it might be said that they were less keen upon temperance reform than the Lords themselves.

MR. JESSE COLLINGS: My Amendment is to delete the whole clause.

MR. LEIF JONES said he was referring to some other Amendments of the right hon. Gentleman. The hon. Member for Yarmouth had said that the House of Lords had put in this clause without consideration. He did not think there was any justification for that statement. The Amendment had been on the Paper a good many days, and the Lords had passed it only after due consideration. He should like to meet the argument of the mover of the present Amendment, in which he said that he desired to elevate the public-houses of the country. He would ask him what was the matter with the public-houses. Why did they want elevating? Why did he wish them to raise the position of the public-house? Were they to take it from him that there was anything wrong with them? It was the first time he had heard the admission made from that quarter; but, taking it so, he thought the hon. Member probably shared the idyllic view of the public-house put forward by the right hon. Gentleman the Member for Bordesley.

MR. JESSE COLLINGS: Nothing of the kind. I hope you will allow me to correct such a mis-statement as that. I never spoke about the idyllic public-house. What I said was that to see a family in the position I have described, the man and his wife and his child, was an idyllic domestic scene.

MR. LEIF JONES said he had no wish to misrepresent the right hon. Gentleman and he did not profess to be quoting him, but he thought the word "idyllic" was a fair description of the picture the right hon. Gentleman had presented. But he took it that he too admitted there was need for elevating the public-house. If the children went in at present in great numbers, they had not succeeded in elevating them.

Even if their going in were going to elevate the public-houses it caused degeneration and infinite mischief among the children, for he said confidently that the nation was not prepared to go on sacrificing children for the sake of the public-houses, and the country as a whole was grateful to the Government for this clause.

Mr. BERTRAM (Hertfordshire, Hitchin), who was indistinctly heard, said that no discussion of any sort or description had taken place on this matter in another place, and he thought it ought to receive full discussion somewhere and in the House of Commons if possible. He had taken the trouble to refer to the Licensing Bill, and the clause relating to the admission of children into public-houses in the Bill as introduced was not this clause. The original clause was never discussed at all and, under the process of closure by compartments, Government Amendments completely recasting and altering the clause and enormously extending its scope were introduced. That was the clause which was now before them, and it was because of the great difference between these two forms of clause that he suggested that the matter was one which ought to be discussed, seeing that the Under-Secretary himself had held within the past few minutes two entirely different views regarding it. The hon. Member whose Amendment was before the House had said a great many things with which he was not prepared to agree, but he certainly felt, with a great amount of regret, that the popularity of this clause in the House was due less to a feeling for the children than to a feeling against the publican. He said that in view of the actual state of the law as it at present was. In the first place there was upon the Statute-book the Sale of Intoxicating Liquor to Children Act of 1901. That introduced a very strong safeguard for the children. Hon. Members on that side of the House, though they were always ready to penalise the publican, never appeared willing to take any steps to penalise the parent who took his child into this unhallowed atmosphere. There was no provision, as there was in the original clause of the Government's Licensing Bill, to safeguard the publican. All these safeguards had been removed. The original clause was perfectly fair to the publican and carried out all the purposes and wishes of hon. Members on that side; but the amended clause which went through that House, whether after consultation with the hon. Member for Appleby and his friends he did not know, went through without a word of discussion. It was because the penalisation of the publican under this clause was so severe, and he thought so unreasonable, that, though he disagreed with a great deal of what had fallen from hon. Members opposite, he intended to support the Amendment.

Mr. MACLEAN said that if the clause had no discussion in another place it was not for want of opportunity at any rate. One could only assume that lack of discussion arose from general agreement among the Members of that Assembly as regarded the principles and details of the measure. He would like to draw the attention of the House to what his hon. friend had said as to the frequenting of public-houses by children. The hon. Member had given instances of what happened in London and great cities. He would like to give an instance of what happened in a much smaller area. In a town with which he was acquainted there were 20,000 inhabitants and fourteen public-houses, and in August, 1907, long before the Licensing Bill was introduced, some friends of his made a census of what took place between the hours of 8.30 and 11 on a Saturday night. He knew the circumstances under which the census was taken, and could vouch for the responsibility and the accuracy of those who took it. In these fourteen houses 5,775 persons entered, of whom 3,741 were men, 1,495 women, and 539—about 10 per cent.—children. In one house alone 278 persons entered, of whom twenty-seven only were men, 123 were women, and fifty-six were children. Children did frequent public-houses in very large numbers, and they were mostly just under the age of sixteen. Was that desirable or was it not? He thought there was a general agreement that it was undesirable. A great deal had been said about the penalisation of the publican. Through the length and the breadth of the country there was a very large measure of agreement amongst the publicans themselves that it was undesirable, and they would be very willing to see children kept out of the bars of their houses. He knew instances where resolutions to that effect had been passed, and there was a very large measure of support for this particular proposition of the Licensing Bill from the licensing trade itself. One heard much about the liberty of the subject. After all they had to consider two things. The adult could look after himself, but the liberty of the child was also a matter for their serious consideration. He thought the House of Commons when it agreed, as he had no doubt it would, with this Amendment of the Lords, would be taking a long and a proper step towards the protection of the children of this country.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) said the hon. Member for Appleby had given a modified blessing to the action of another place in inserting this clause in the Bill. He agreed to a certain extent with the hon. Member for Hitchin, and he should agree with him still further if they had to treat this clause as if it stood alone. But they had to look at it as it would appear with the addition of the Government Amendments. As the clause stood he thought it undoubtedly would have created, in many instances, a great deal of hardship, and by the Amendments a large amount of that hardship would be mitigated. As to the necessity for recognising that a great deal of evil and suffering was entailed by the present system, which allowed the admission of children to public-houses, he really thought there could not be two opinons. The Under-Secretary had quoted from the Report of the Chief Constable. He knew few documents, which had ever been presented to the House, which were really more terrible indictments of a great deal of our modern civilisation. He appealed to the Government very sincerely and from the bottom of his heart to consider very carefully whether it was wise to rush in in too headlong a manner. He had listened to the Under-Secretary with great care and attention to see if he would supplement what appeared in the Report of the Chief Constable. No supplementary evidence was forthcoming at all. Manchester and Birmingham had been quoted; but those were great urban centres, and he noticed that his hon. friend the Member for one of the divisions of Kent had an Amendment on the Paper suggesting that this principle should be first adopted. When that Amendment came on he hoped the Government would be able to give them some figures with regard to the alleged existence of this evil in the country districts, where it was obvious that this clause would undoubtedly work a considerable amount of inconvenience and hardship. It had always been with the greatest difficulty and feeling of regret that he ventured to differ from his right hon. friend the Member for Bordesley Division. He yielded to no one in his love for liberty. The right hon. Gentleman said it was only small minorities who were guilty of wrong-doing. As a matter of fact, all legislation was directed against small minorities.

SIR F. BANBURY: But majorities do wrong sometimes.

MR. MITCHELL-THOMSON said he very much doubted whether, as the clause stood, it would have the effect anticipated. He was afraid it would be liable to evasion. The whole point of the clause lay in the definition of what a bar was. The right hon. Gentleman said the Bill provided the definition that a bar was to mean an open drinking bar, but he did not think that was a good definition. The definition given in the Child Messenger Act had been adopted, which defined bar as a place used only for the sale and consumption of intoxicating liquor. Therefore, a place used for sale alone would not be interfered with, and it would be equally true that a place used for consumption only would be in the same position. If they could divorce sale from sale and consumption it would not affect places in which consumption alone took place, and any publican who wanted to drive a coach and four through this clause only needed to let the sale take place in one room, and the consumption in another.

*MR. HERBERT SAMUEL: But there cannot be consumption without a sale unless the publican gives his liquor away.

MR. MITCHELL-THOMSON asked how the Bill would apply to another department where consumption took place and not sale. He thought there was a real danger here, and he hoped when the subsequent Amendment came up for consideration the right hon. Gentleman would direct his attention to the points he had raised, namely, the question of country areas, and the definition clause.

MR. REES (Montgomery Boroughs) said that the Under-Secretary had made a very good case, as he invariably did, and he dwelt upon the additional weight this clause would gather on account of its place or origin. He had been followed by the hon. Member for Appleby, without whose blessing no Ministerial pronouncement on temperance was complete. But in spite of those speeches he submitted there was some cause for looking into the effect of this clause instead of swallowing it whole, which he was not prepared to do like the admirers of the Upper House who had previously addressed them. This was really a very stiff and strong clause in its drafting. For instance, it laid down that the holder of a licence should not allow a child to be at any time in the bar of his licensed premises. The term "bar" had been defined in the Bill. A bar was no small part of a public-house, and a great many public-houses were all bar with a little bit behind. Although the right hon. Gentleman had found much comfort in the definition of a bar he submitted that in the working of this section great difficulty would be found. Take the case of a crowd where there were many mothers assembled with children. It was very easy to criticise the women for taking their children with them on such occasions, but mothers had not always got anybody to leave the children with. Assume, for example, Lord Mayor's Day, when suddenly there might be a pressure in the crowd and perhaps a child for safety might be passed over the heads of the crowd into an adjacent public-house and placed in the bar. Supposing the proprietor of that public-house shut his door against that child. He would at once be stigmatised as a man unfit to conduct a public-house, and if he admitted the child he would be doing something obnoxious to this section. It was all very well to say that that was not the intention, but what had intention to do with the matter? Judicial officers had to administer the law, and that was absolutely the interpretation of the statute. Surely difficulties in drafting likely to lead to doubt were the very things a legislative assembly ought to consider far more than eloquent perorations. Take another case. Take, for example, a country station, where a father was passing from one place to another and could only see his family on the station as he changed his train. That was an extremely common occurrence. The man's family was brought to the station, and he did not know of any place, particularly on country stations, where the family could be received except in the railway bar. [AN HON. MEMBER: There is the waiting room.] That man would be liable under the words of this statute, and therefore this proviso would defeat its own object. The clause did not lay down that the offence must be intentional, but it said boldly and unconditionally that the holder of a licence should not allow the child to be in the bar of licensed premises. He was as anxious as the Members of the House of Lords that children should be protected, but he submitted that this was not the way to protect them. The greatest hardship might be done and it was impossible in this measure dealing with temperance to deal with every conceivable case. He appealed to the House to amend this section and make it such as magistrates could administer without causing hardship to innocent persons. In country places and rural districts it was often the case that with the exception of licensed premises there was hardly any other place where a man could take his family. The cases he had cited were of actual occurrence, and the House should remember in making laws they had to take into account hard cases and the actual meaning of the statute. They had not to consider intention: that was a matter of absolute indifference to the Judiciary who would administer the law.

*MR. STUART WORTLEY said he understood that the effect of this Amendment would be to destroy the clause, and he was not prepared to give a vote to that effect. None of them disagreed with the doctrine that children ought to be kept out of the gin houses, but this clause went a good deal further than the gin house, and it left out many distinctions which ought to have been included and provided for. Those defects afforded ample indications that the subject had not been fully thought out by those who had asked the House to legislate on the subject. The hon. Member for Westmoreland and members of societies to promote temperance had long had their minds concentrated on this subject, and they imagined that everybody else was in the same position, and ready to carry out legislation containing the fullest possible details at the smallest possible notice. The small amount of discussion which this subject had received in the House of Lords, and the complete absence of discussion in the Commons, were evidence of the fact that the public did not understand well what this clause proposed to do. After all, they must remember the conditions of the agricultural labourer's life. It must be remembered that the village public-house was the only place where a man could find light, warmth, and company, and it ought not to be made a dismal place where he could do nothing but sit and drink until, being incapable, he could not be allowed to remain longer. Having enumerated all these imperfections in the clause he must say that he had to thank the right hon. Gentleman for some savings and exemptions. On behalf of the railway companies he thanked him for having delivered them from the duty and obligation which would have been absolutely intolerable, of asking their officials and police to interfere with the travelling public who sought to go into their refreshment rooms. Would not the Government even now conciliate some of the opposition to this clause by making some further distinctions? Could they not discriminate between the really flagrant case of the purely urban houses, which ministered to nothing except the mere desire for drink, and the case of rural houses which fulfilled many other functions? There was also the case of a wife who wished to go into the public-house to get her husband out of it. Supposing she could not go there unless she left her child at home, would not the effect be that she would not go there at all?

SIR J. JARDINE (Roxburghshire) said he had listened with great interest to the debate, and he intervened to deal with some aspects of rural life in Scotland which had not been noticed. He expressed disagreement with the hon. Member for the Montgomery Boroughs in regard to the possibility, under the penal clause, of the conviction of a publican who in time of emergency helped a woman who had a crying baby, or who gave shelter to a neighbour whose house was being burned down. He thought the common law maxims would cover cases of that kind. No magistrate would ever convict if such a case were brought before him, nor would any policeman care to make a charge against a publican in the circumstances indicated. He thought the House need not be afraid of any harsh treatment of humane publicans who acted from necessity, which was the highest of all motives. In the county which he had the honour to represent there were parishes where a farm labourer had no opportunity of going to a bar to eat his dinner with the solace of drink. Like a decent man he went home to his wife and family, or his wife and family came to the field with his dinner. He was told that in England there were thousands of cases where public-houses were used for family reunions. That was a point which had been laboured by the right hon. Gentleman opposite. He would ask whether that was really the custom in the rural districts of England. If they looked at the literature of the country for centuries, he thought he might say without fear of contradiction they would not find that any great poet or tragedian had regarded the tied-house as the scene of family reunions. In some book they might find a reference to the village public-house as a place where the writer laid stress on the fact that the beer was heavy and the society that of poachers, but it was not described as a place where people would meet their children. They all knew the touching line in Gray's "Elegy" of the children running to lisp their sire's return, but the poet did not lay the scene of that meeting in the public-house. Neither did Robert Burns in his great poem, "The Cottar's Saturday Night," describe the domestic joy of the family gathering as taking place in a public-house. If they looked into the Bacchanalian literature of the nation, they would find that the scenes depicted were such as would deter parents from wishing that their children should have any knowledge of what went on in drinking places. He thought, therefore, he was justified in saying that for generations it had not been the custom of the people to use public-houses for domestic reunions. He was pleased that certain alterations were being made in the clause which would commend themselves generally. Knowing the feeling of rural Scotland, he welcomed the clause. This Bill was part of a great scheme for improving the condition of the people, and for that reason he hoped the clause now before the House would be passed.

Mr. HUNT (Shropshire, Ludlow) said that the hon. Member who had just spoken did not seem to appreciate that a working man and his wife out for a walk with their family could not take their children into a public-house even to give them a cup of tea. There were a great many public-houses where there was no room except those "mainly used for serving drink." That was really a serious objection to the clause, which would take away a poor man's freedom altogether, even to give his child a cup of tea. He suggested the substitution of the words "entirely used" instead of "mainly used," which he thought would meet the objection of a considerable number of people. In his part of the world it would be very hard in the case of children under fourteen years of age. The hon. Member opposite rather twitted those on that side of the House that the country public-houses were not better than they were. If that were so, one of the chief reasons was because the rabid teetotalers had always done their best to make them bad. They would not allow any improvement to be made or to allow any amusement or games to be enjoyed in them. He hoped that the Home Secretary would consider the question of altering those words.

*Mr. HAMAR GREENWOOD (York) said he wished to protest against the unworthy suggestion of the hon. Member for Hitchin, that those who supported this clause were inspired with a desire to penalise the publican and had no consideration whatever for the tens of thousands of tender children under fourteen years of age, who would, unless this clause passed, be condemned to an environment from which it would be impossible for them to emerge physically and morally sound. He supported this clause because he had seen clauses far more drastic passed into law in the Dominion of Canada and in all the Northern States of the United States of America. In some of the self-governing Colonies of the Empire the age-limit had been raised to as high as twenty-one years. [Opposition cries of "Oh!"] He knew that that would not meet with the approval of some hon. Gentlemen opposite, but the fact remained that in no part of the English-speaking world in which a law had been passed fixing a prohibitory age for children entering bars had it ever been repealed. The whole tendency of legislation in the English-speaking world had been in fact to increase the age-limit; and in many cases the age had been fixed at twenty-one. He was amazed that the hon. Member for Great Yarmouth, who was lucky enough to have been born in New Zealand, the most temperate State in all His Majesty's dominions, should have dared to move the rejection of a clause in this Parliament which he would have been afraid to move in his own native Dominion. He would vote for the rejection of this Amendment because its acceptance would condemn those unfortunate youngsters of the slums in our great cities to influences and environments from which few of them could ever emerge clean-minded young men and young women. He would vote for the clause because it had been successful throughout the English-speaking world, where all classes were united in making the prohibitory age higher and higher, and in no part of which had it ever been seriously proposed to reduce the age-limit.

Mr. CARLILE (Hertfordshire, St. Albans) said that he was in a dilemma. He could not vote for the clause as it stood, and certainly he could not vote against it. One felt that this clause had been superficially thought out—that it had been insufficiently considered in another place. They knew that it had not been thoroughly debated in the House of Commons when it was included in the Licensing Bill. He would mention one point only which made him hesitate to vote either for or against the clause. Take the case of a working man with two daughters, one ten years of age and the other sixteen years of age. He asked himself which of these two girls was it best for a working man to send to a public-house to obtain the liquor which he wanted? Clearly, that working man dared not send his sixteen year old daughter. [Cries of "Why?"] He could not, if he held that the surroundings of the public-house were undesirable; and his wife would not permit it. But he might think that his child of ten years of age might be safely sent. That was one dilemma that had not been provided for in the clause; and that showed that the clause had been superficially drafted and discussed. He believed that a better definition could have been arrived at if more consideration had been given to the clause in both Houses.

Sir F. BANBURY said he understood that his hon. friend was going to withdraw his Amendment, but he objected to that, because, after the speech of the hon. Member for York, this was an attempt to bring in a clause by which afterwards the age-limit would be increased to twenty-one years.

*Mr. HAMAR GREENWOOD said that that was a very serious accusation to make. What he had done in his speech was to quote examples of what had been done in other English-speaking States. He said that in some of these States the age-limit had been raised to twenty-one years; but he did not say that the Government intended to raise the age-limit to twenty-one years, or that the Government ought to be urged to raise the age-limit to twenty-one years.

Sir F. BANBURY said that what he intended to say was that the hon. Member believed that the age-limit should be raised to twenty-one years. Unless the hon. Member did wish that, he did not see the use of his argument. He himself believed that England was as sober as any of the other English-speaking countries to which the hon. Member had referred, without all these legislative enactments to which the hon. Member attached so much importance. His belief was that the clause would not tend to increase but to discourage sobriety. There was a strong feeling in the country that all these attempts to dictate to the people in matters of purely domestic economy were resented, and would continue to be resented. He was sorry that his hon. friend was not going to divide, because he believed that the children were thoroughly protected by the Child Messenger Act, to which allusion had been made. He would point out that all hon. Members opposite who had made speeches in favour of this clause were entirely obsessed with the idea that a gin-palace was objectionable. But it must not be supposed that the ordinary public-house in a big town was the same as a country public-house. The hon. Member for Appleby thought that they ought not to oppose this clause because it had come from the House of Lords. He himself did not believe that any human institution was incapable of making an error. Misled as they were, by the hurry of the right hon. Gentleman and his friends during the last few days, the House of Lords had, in his opinion, been induced to pass this clause without due reflection, and he hoped that the Government would so amend it as to make it consonant with what was indicated by the Amendment.

Mr. FELL asked leave to withdraw his Amendment.

Amendment to the Lords' Amendment, by leave, withdrawn.

Mr. FELL moved to insert words providing that the holder of the licence of any licensed premises should not allow a child "unless in the charge of a parent, or adult relative, or person acting in the place of a parent," to be at any time in the bar of the licensed premises except during the hours of closing. If the words which he proposed were inserted, he thought it would make the clause satisfactory. He did not wish to travel over the ground of discussion on the first subsection, but he might say that it was obvious that there was a great distinction between the case of children who went into a public-house with their parents for the purpose of obtaining refreshment and those who entered under other circumstances. The distinction was a very great one, and he hoped the suggestion he made would be agreed to. They had had a terrible picture drawn of children being taken into public-house bars by their parents or persons in whose charge they were, but these children were, in almost all cases, in arms or of very tender age, and were not the children at whom this clause pointed in any degree whatever. The terrible scenes caused by mothers taking their children to the public-house and giving them little drops of drink ought to be stopped, and were dealt with by another clause. This clause however, referred to the case of older children who were brought there by their father or mother without the slightest harm resulting. As to the other terrible evil, they must educate the parents to see the harm which was done by a mother taking her child into a public-house or leaving it in a miserable room where it might be burned alive. He did not say that there might not be cases where the mother might remain at home rather than go out to the public-house and leave the child at home, but until better conditions and a better education were obtained for them he was afraid that these evils would not be cured by any such legislation as now proposed. There was, moreover, the case of the mother going to the public-house to fetch the dinner beer. But there were respectable people who took their children into public-houses and refreshment-rooms perfectly honestly and rightly for the purpose of obtaining refreshment, and he thought it would be a great hardship if they were not allowed to do so. He had taken his own boy of ten or twelve, when out cycling, into bars frequently, and they had had their refreshment. Now apparently, however, that was to be stopped. The other point, as to the difficulty about the age of the children, he considered almost insuperable. There was laughter when his hon. friend behind him suggested that it was rather more dangerous to send a girl over fourteen into a public-house than a girl under fourteen, but he entirely agreed with him, and he considered that to tell girls of fourteen that at that age they could go into public-houses would be an invitation to do so. It opened up an immense danger, as they might go there out of bravado or in order to have the laugh of their friends who were under the age. There must be a certain line drawn, of course, but he could not help thinking that the age selected was most unfortunate.

*Mr. SPEAKER called the hon. Member to order for irrelevancy and repetition.

Mr. FELL was sorry he was repeating himself. What he meant to suggest by this Amendment, was that a parent might take children under fourteen into public-houses, without doing anything in contravention of the law. He considered that there would be great hardship created if fathers and mothers were not allowed to take their children into a public-house under the circumstances he mentioned, and the pictures which had been drawn of the evils resulting did not apply to this class of case. He begged to move.

Sir F. BANBURY, in seconding the Amendment, said that unless some provision of this sort were inserted in the clause great hardship would result to a large class of deserving people who were taking a holiday or going upon an excursion. They all knew perfectly well that in the vicinity of railway stations—he was aware that railway bars were to be excepted from the clause—there were inns and hotels where people went and obtained the necessary refreshments if they went for a day at the seaside or in the country, especially in those places to which the railways ran cheap excursions. It would be impossible for all the people to obtain the refreshments they needed at the railway refreshment rooms. These were not large enough to admit a great number of people, and sometimes an excursion train took as many as 500 or 600 people. Unless the Amendment were accepted, children under fourteen would not be able to obtain the necessary refreshments. Of course, people could go to a teetotal A.B.C. shop, or something of that description, and no doubt that would meet the views of the hon. Member for Appleby or the right hon. Gentleman the Member for Spen Valley, because they wanted to make it impossible for a man to enter a public-house. A man would not be able to do so unless he left his child outside. If this Amendment were carried there was no reason to suppose that any great harm would result to the children, whereas if it were not carried considerable inconvenience would be felt by many people who were enjoying the short leisure they sometimes had at their disposal. They had heard a good deal recently about the necessity of limiting the hours of labour in order to increase the leisure of the working classes, to whom this clause particularly applied, but if those classes when they had leisure were prevented from spending a few days at the seaside or in the country with their children it would be very undesirable. If a man took a packet of sandwiches with him, he could not, under this clause, go into an inn and eat them with his child and have a pint of beer. These were the days of bicycling, and many people went on excursions with their children. It was a healthy recreation, but it was difficult to carry things on a bicycle. If a father, having his child with him, stopped at a wayside public-house, the child would have to wait outside while the grown-up person went inside. A more ridiculous piece of legislation could not be imagined, and, therefore, he had great pleasure in supporting the Amendment of his hon. friend, who would, he hoped, divide if the Government did not accept it.

Amendment proposed to the Lords' Amendment—

"In line 2, after the word 'child,' to insert the words 'unless in the charge of a parent, or adult relative, or person acting in the place of a parent.'"—(*Mr. Fell.*)

Question proposed, "That those words be there inserted."

*Mr. HERBERT SAMUEL said the Government, of course, could not accept the Amendment, which would undo the whole purpose of the clause. The object of the Amendment was to allow children to be taken to any part of a public-house so long as they were accompanied by their parents, but the very mischief they wanted to aim at was that the children should not be taken into the public-house by their parents, and if this Amendment were adopted they might as well have no clause at all. The number of children who went into a public-house unaccompanied by parents was very small. They had had a long discussion on the subsection, and this was practically the same subject, and the Government could not accept the Amendment.

Question put.

The House divided:—Ayes, 17; Noes, 192. (Division List No. 456.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F
Balcarres, Lord
Bertram, Julius
Bowles, G. Stewart
Cave, George
Cecil, Lord R. (Marylebone, E.)
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Forster, Henry William
Gretton, John
Lupton, Arnold
Nield, Herbert
Powell, Sir Francis Sharp
Staveley-Hill, Henry (Staff'sh.
Thorne, William (West Ham)
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)

Tellers for the Ayes—Mr. Fell and Sir Frederick Banbury.

NOES.

Abraham, William (Rhondda)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Baker, Joseph A. (Finsbury, E.)
Barker, Sir John
Barlow, Percy (Bedford)
Barnes, G. N.
Barrie, H. T. (Londonderry, N.)
Beale, W. P.
Beck, A. Cecil
Bell, Richard

Bellairs, Carlyon
Benn, W.(T'w'r Hamlets, S.Geo.
Bethell, Sir J.H.(Essex, Romf'rd
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bright, J. A.
Brodie, H. C.
Brunner, J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Corbett, C H(Sussex, E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Davies, Sir W.Howell(Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C.(Barrow-in-Furness
Edwards, Enoch (Hanley)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Fuller, John Michael F.
Gibb, James (Harrow)
Gill. H. A.
Gladstone, Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt, Rt.Hn.L.(Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc's.)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire, N. E
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.)
Herbert, T.Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hooper, A. G.
Horniman, Emslie John
Houston, Robert Paterson
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Illingworth, Percy H.
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
Kennaway, Rt. Hon. Sir John H.
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A.Levy (Essex, Harwich
Lewis, John Herbert
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
M'Crae, Sir George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H.Rendall (Lincoln)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Middlebrook, William
Montagu, Hon. E. S.
Morse, L. L.
Murray, Capt.Hn.A.C.(Kincard.
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N.(Doncast'r
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Kelly, James(Roscommon, N.
Parker, James (Halifax)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C.E. (Edinb'gh, Central)
Price, Sir Robert J.(Norfolk, E.)
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Richards, T.F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberston, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rowlands, J.
Samuel, Rt.Hn.H.L. (Cleveland
Scott, A.H.(Ashton under Lyne
Seddon, J.
Seely, Colonel
Shackleton, David James
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Stanger, H. Y.
Stanley, Albert (Staffs, N. W.)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, Theodore C.(Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thorne, G.R. (Wolverhampton)
Trevelyan, Charles Philips
Vivian, Henry
Walsh, Stehpen
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, J.Dundas(Dumbart'nsh.
Whitehead, Rowland
Whitley, John Henry(Halifax)
Whittaker, Rt Hn.Sir ThomasP.
Wiles, Thomas
Wilkie, Alexander
Wilson, Henry J.(York, W. R.)
Wilson, P.W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

*MR. WHITBREAD (Huntingdonshire, Huntingdon) moved at end of subsection (1) to add "or, for the purpose of fetching intoxicating liquor for consumption off the premises subject to the provisions of the Intoxicating Liquor (Sale to Children) Act, 1901." He said this small Amendment merely preserved the provisions of the existing law. It did not run counter to the main intention of the clause, nor to the intention of the Government. Therefore there was no reason why the right hon. Gentleman should not accept it. The Act of 1901, the Child Messenger Act, prohibited the sale of intoxicating liquor to children on any part of licensed premises. This clause went a little further, and prohibited the presence of children on licensed premises. In the Act of 1901 it was found necessary to introduce a qualification which was felt necessary in order to meet the legitimate demands of a large section of the population. That qualification allowed liquor, to be consumed off the premises, to be served to children in corked and sealed vessels. The provision in the present clause was that a child was not to be allowed in the bar of the premises. If all public-houses were like those in London and other large towns, where there was a separate department for the supply of liquor to be consumed off the premises, the difficulty which he desired to meet would not arise. But the definition of "bar" would cover the whole ground floor premises of the majority of the houses in the country. In the village inn there was no such provision as was found in a London public-house. There might be a small bar, but in a great majority of such premises it would be difficult to say of any part of the ground floor that it was not used for the sale or consumption of drink. In the case of those houses the Child Messenger Act would be over-ridden, and rendered inoperative. That was the case he endeavoured to meet. He did not think it was the intention of the Government to abrogate the Child Messenger Act. He did not say anything about the merits of that Act, but so long as it remained the law, it ought not to be over-ridden in this way. If it had been intended to repeal it, some opportunity for so doing would have been found in a clause of the Licensing Bill, or in the Children Bill, but no such opportunity was taken. Unless some qualification was introduced in this clause, certainly in a large number of houses, such as he had described, the Child Messenger Bill would be practically repealed. He was entirely in favour of keeping children out of the public-house, but he thought, at the same time that in providing for that the House ought to be very careful not to abrogate, either by implication or incidentally, privileges which had been specifically enacted in response to a demand. He moved.

MR. MOONEY (Newry), in seconding the Amendment, said he was one of those who objected to legislation by reference, but he thought that one thing worse than that was a system of legislation by a clause like this. Although this clause did not specifically repeal the Child Messenger Act, it undoubtedly would do so unless some limitations were put in to prevent that result. The Child Messenger Act was passed in the year 1901, and it was one of those measures which, without the closure, was fully discussed, and strict safeguards were passed so that the child might not get at the liquor for which it was sent. The clause as it now stood, without putting in words such as those proposed, would undoubtedly repeal the whole of that Act. If it was the intention of the Government to repeal that Act, he did not think that this was the proper way to do it. If they left the clause in its present ambiguous form they would find the justices in one part of the country saying that it was the intention of the clause to repeal the Child Messenger Act, while the justices in another part of the country would say that was not the intention because it was not specifically stated. He did not believe that the Government intended to repeal the Child Messenger Act, but if they did not put in the words contained in the Amendment they might have these varying decisions by the justices.

Amendment proposed to the Lords' Amendment—

"In line 3, at the end, to insert the words 'or, for the purpose of fetching intoxicating liquor for consumption off the premises subject to the provisions of the Intoxicating Liquor (Sale to Children) Act, 1901.'"—(*Mr. Whitbread.*)

Question proposed, "That those words be there inserted."

*MR. HERBERT SAMUEL said he did not understand what the hon. Gentleman who seconded the Amendment meant when he referred to the Child Messenger Act as being in effect repealed by this clause. That Act was a restrictive measure which limited provisions which previously existed, and imposed penalties on the holders of on-licences who supplied children with liquor except in sealed or corked vessels. If this clause were to repeal the Child Messenger Act, the result would simply be that a child could go into a public-house and get the liquor whether or not it was in a corked or sealed vessel. So far from this clause repealing the Act, however, it carried it further, and there could not be for a moment any question of putting it into the repeal schedule of the Bill, a course which would have precisely the opposite effect to that contemplated by the hon. Members themselves. The hon. Member he presumed meant that the clause ran counter to the intention of the Child Messenger Act, which was that liquor might be supplied to children so long as it was carried in corked and sealed vessels. It had been suggested in some important quarters that the Child Messenger Act ought, not to be repealed, but to be carried much further, and that children should be prevented altogether from going to public-houses as messengers, whether the liquor was carried away in corked and sealed vessels or not. He confessed that there was much to be said for that proposal. But in this case they did not go so far as that. They said that wherever there was an off-sale department, or where there was a jug and bottle department, or wherever there was no consumption of liquor in the house, a child messenger might still be supplied. There was no possibility of a misunderstanding. The only prohibition was that a child might not go into a bar which was used for open drinking, or to any part of the premises which was exclusively or mainly used for the sale and consumption of liquor. There must be both a sale and consumption in that part of the licensed premises for the prohibition to operate.

Mr. MOONEY asked the right hon. Gentleman to take the case of licensed premises which simply consisted of one long bar used for the sale of liquor across the counter for consumption on the premises. There was no definition given in the clause that such premises would be regarded as a place to which a child messenger could not go at any time.

*Mr. HERBERT SAMUEL said that was his point. Where there was the sale and consumption of liquor in any part of the house, then a child messenger could not go there for liquor, whether it was in a corked and sealed vessel or not. But there was a very large number of places all over the country to which the child messenger might go. Further, when this Bill passed, he believed that publicans who desired to have places on their premises where a child messenger could be served would have jug and bottle departments where they had not got them already, and they would provide places for the purpose of serving children who might be sent to their premises. That might not be in itself a desirable thing, but certainly it would be much more desirable than that children should be served, as now, in some part of the premises where there was a sale and consumption of liquor. They certainly could not accept this Amendment, because they were anxious to keep the child from what they regarded as the contaminating surroundings of drinking places. There was a further reason against the Amendment, namely, that if they were to insert words of this kind they would be making a large loophole for evasion. Of course it would not apply to an infant in arms, but take the case of a child of larger growth. If a policeman found a child in the bar nothing would be easier than to say that it had come there as a messenger. Or if the mother was in the bar she might say that she had taken her child in there because she was going to send him home with a bottle of beer. So long as they had simple prohibition of the presence of the child, then they had an easily enforceable provision. Once they made an exemption of the messenger, then they would have evasion. Further, he believed that when once this law was passed it would become very well understood amongst the people, and they would not see children being sent to the drinking bars in future, so that in time people would forget that there was any statutory prohibition at all. But if they put in words of the character proposed, they would introduce a certain element of confusion, and they would spoil the simplicity of the law. As there was no great necessity for any change, he hoped that the House would not accept the Amendment.

Mr. CAVE (Surrey, Kingston) said he would be sorry to support any Amendment which would minimise the protection properly given to children. But he thought that they ought to have regard to the general convenience, and give that protection with a certain amount of common sense. It seemed to him that in refusing this Amendment the Government were going rather beyond that rule. It was true that they were not in terms proposing to repeal the Child Messenger Act, but they were repealing a considerable exception in that Act which was inserted by Parliament when that measure was passed, so far as regarded bars and other places coming within the denomination of bars. They all knew that there were places in the country where there was but one room in the public-house. It was a room with a bar at one end and with seats perhaps in the rest of the space. It was a room where the whole of the business of the house was done, whether is was an on or off sale, and the effect of this clause without the Amendment would be that no child under fourteen could be sent there for the liquor which his father consumed. He thought that was an unnecessary rule and that this exception ought to be allowed. The right hon. Gentleman said that the clause with this Amendment would be liable to evasion. He did not think that there was any real risk of that kind. The right hon. Gentleman had said that if the child were seen in the bar it might be replied that it was there as a messenger, but it would be quite easy to test whether that statement was true or not. In order to make a defence the parent must himself go and say that he had sent the child for the purpose of obtaining liquor for his own consumption. He would have to prove his case up to the hilt, and if there was the least suspicion of evasion he was quite sure that the evidence would be very carefully tested and the person would not escape unless he had a real and genuine defence. What evidence was there of any harm which would be caused by this Amendment? What evidence was there that the children who would be sent as messengers to bars within the meaning of this clause had been found to consume drink upon the premises or to abuse the privileges of the Act?

*Mr. HERBERT SAMUEL: It is not suggested.

Mr. CAVE asked why, if no evil was suggested, this Amendment was not accepted? Children who went to these places to obtain liquor in corked and sealed vessels did, in fact, bring the liquor away, and no harm was done to them. Why should not the liberty given by Parliament in 1901 be continued in the present day? He did not think that a clause which admittedly affected the convenience of a large number of people ought to be insisted upon unless some evil existed which would otherwise be continued. He hoped that the matter would be reconsidered, and that the Amendment would be ultimately accepted. They ought to compare this clause with the clause in the original Bill. In the original Bill the clause was not of universal application. At certain times the justices thought it necessary to apply it, but it was extremely likely that in country places the justices, where there was only one room in the house, would feel that it was inconvenient to apply the clause, and also unnecessary unless a real evil existed. In that respect this Bill was different. This Bill was universal—there was no exception even in the case of a public-house such as he had suggested. In resisting this Amendment the Government were going beyond what were the real needs of the case. He certainly felt bound to vote for the hon. Member's Amendment.

The SOLICITOR-GENERAL (Sir S. Evans, Glamorganshire, Mid.) said the principle underlying the clause was that a bar was not a desirable place for a child under fourteen. If he was right in saying that that was the foundation of the clause, then this Amendment would run counter to that principle. The clause did not prevent the child messenger from going to the public-house if such a child was not brought under the contaminating influences of the bar. If a child should not be in the bar whilst its parent was drinking there, because of its contaminating influence, then surely it was an equally bad place to which to send a child messenger for liquor. Hon. Members knew probably that the provision of the Child Messenger Act had been considerably weakened by the decision of the Courts, that all the publican had to do was to prove that he was either manager or licensee, and that he had given orders to his servants and to everybody in the house that they were not to supply children. If the publican proved that, and that was most easy of proof, for his servant would probably corroborate his employer's statement, then the Courts had decided that the servants in that house could supply beer or liquor in bottles which were not corked and sealed at all within the meaning of the Act of Parliament. In that way the provision of the Child Messenger Act had been weakened very much, and if they accepted this Amendment he thought that it would lead to possible evasion of the Act. It was true, no doubt, that some inconvenience might be caused to parents if they were prevented from sending their children to the public-house to obtain dinner or supper beer, but as against that they must put the undoubted evil arising to the child from being in a place which was used mainly as a drinking place. It was not too much in the interests of the children to ask that those who kept public-houses, if they desired to supply child messengers in accordance with the Act of 1901, should so arrange their house that a place in or about the premises should be arranged so that the child need not go into the bar at all. On those grounds the Government found it impossible to assent to the Amendment, and must support the clause as it came down from another place.

Mr. GRETTON (Rutland) did not think the case was quite as simple as the hon. and learned Gentleman represented it to be. He had not taken account of the fact that to make any alteration in his premises he had to obtain the consent of the local justices.

Sir S. EVANS: I assume the local justices would not dream of refusing permission to alter the premises so as to prevent the necessity of the children going to the bar.

Mr. GRETTON said the presumption of the hon. and learned Gentleman was going a very long way, and, putting it at the very lowest, had not been justified by experience of the administration of local justices. They all knew the composition of some benches, and how usual it was in some districts that they represented the extreme opinions of such as desired to degrade public houses to the lowest possible level, and to prevent any kind of facility, however desirable, for the distribution of alcoholic drink.

Mr. LEIF JONES: Can the hon. Member name any bench to which that description applies?

Mr. GRETTON said he did not want to enter into a long controversy on the matter, but he was quite sure the hon. Member for Westmoreland could name as many benches as he could, and perhaps more, who took those views.

Mr. LEIF JONES: I think I could, but I cannot name one. I hear the charge freely made, but I have never heard an instance given of a bench to which a description of that kind properly applies.

Mr. GRETTON said he was not prepared to give the hon. Member a list now, but if he wished for a list of benches of that kind he was quite prepared to give it to him privately, and to satisfy him of some flagrant cases where action of this kind had been taken.

Mr. LEIF JONES: I shall be very glad to receive it.

Mr. GRETTON said the Solicitor-General seemed to think that under no circumstances should any child under the age of fourteen be admitted, even for the purpose of fetching alcoholic liquor in a sealed vessel, into an open drinking bar.

Sir S. EVANS: I said that no Member of this House, whatever Party he belonged to, would like to send a child under fourteen to such a place.

Mr. GRETTON thought the hon. and learned Gentleman was making a very large assumption. In the first place, they came to the great difficulty as to what was an open drinking bar, and what took place in an open drinking bar which made that place, under all circumstances, on all occasions, and in every instance, a case for the prohibition of any child under the age of fourteen. That had not been explained, and he thought, at any rate, the main argument upon which this clause was based should be put absolutely clearly and distinctly before the House. It should be remembered that these drinking bars were very much what local justices had made them. The powers of the local justices had been very great in the past, and had been exercised very freely and in many different directions according to the ideas of policy prevailing on the local benches. In many cases the local justices had insisted that every possible partition or division in licensed premises should be done away with, and that the whole premises should be one open drinking bar. On what ground had they insisted on that, if the open drinking bar was the one case which those who advocated temperance reform fixed upon as that most desirable to do away with—that one form of licensed premises from which it was most desirable to keep the child? That question, he thought, should be answered, and he was afraid it was a difficult one to answer for those who were supporting the clause. He was not opposing the clause, not because he agreed with it, but because he believed both Houses desired to make some restrictions in this direction. The only object he had was that those restrictions should be of the least possible inconvenience to the public who desired legitimately and reasonably to use licensed premises, and the penalties to be inflicted should be applied with justice and equity to the person who held the licence. He thought, at any rate, unless some provision was made in connection with the Amendment to enable the child messenger to be sent to fetch beer or spirits for the parents' dinner or supper under reasonable conditions, those facilities should be afforded, and though he did not think the Amendment was in many respects an ideal Amendment, in the absence of anything better he should certainly vote for it.

Question put.

The House divided:—Ayes, 19; Noes, 173. (Division List No. 457.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex. F.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Bertram, Julius
Coates, Major E. F. (Lewisham)
Collings, Rt. Hn. J. (Birmingh'm)
Courthope, G. Loyd
Fell, Arthur
Forster, Henry William
Gretton, John
Hardy, Laurence (Kent, Ashford
Helmsley, Viscount
Kennaway, Rt. Hon. Sir John H.
Mooney, J. J.
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Warde, Col. C. E. (Kint, Mid)

Tellers for the Ayes—Mr. Whitbread and Mr. Cave.

NOES.

Abraham, William (Cork, N. E.)
Abraham, William (Rhondda)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Baker, Joseph A. (Finsbury, E.)
Barker, Sir John
Barlow, Percy (Bedford)
Barnes, G. N.
Barrie, H. T. (Londonderry, N.)
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bright, J. A.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Corbett, C. H. (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness)
Edwards, Enoch (Hanley)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.

Fiennes, Hon. Eustace
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hooper, A. G.
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Illingworth, Percy H.
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marnham, F. J.
Massie, J.
Middlebrook, William
Montagu, Hon. E. S.
Montgomery, H. G.
Morse, L. L.
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendall (Tipperary Mid
O'Kelly, James (Roscommon, N
Parker, James (Halifax)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Power, Patrick Joseph
Price, C.E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards, T.F. (Wolverh'mpt'n)
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradfrd)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Rowlands, J.
Samuel, Rt. Hn. H. L. (Cleveland)
Scott, A.H. (Ashton-under-Lyne
Seddon, J.
Shackleton, David James
Shipman, Dr. John G.
Snowden, P.
Stanger, H. Y.
Stanley, Albert (Staffs, N. W.)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Thorne, G.R. (Wolverhampton)
Thorne, William (West Ham)
Trevelyan, Charles Philips
Vivian, Henry
Walsh, Stephen
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. Dundas (Dumbart'nsh
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Wilson, Henry J. (York, W.R.)
Wilson, P.W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE NOES—Master of Elibank and Mr. Herbert Lewis.

MR. CAVE said his Amendment provided to confine the penalty for allowing a child to be in the bar to a publican who knowingly committed that offence. There was a consequential Amendment to leave out the subsection which provided that if a child was found in a bar, the publican was to be presumed to be guilty unless he proved himself innocent. The point he desired to make was quite apart from the matter they had been discussing, and he regretted to see the principle introduced and extended in our laws. The effect was to cast an unfair burden on those carrying out this particular trade. If a publican made a mistake in the age of the child he was to be fined and have his licence endangered, or, again, an offence might be committed while the publican was away from the premises, and although he had given strict instructions, and was absolutely free from any blame, he was to be criminally punished. That was the kind of thing he wanted to prevent. It was perfectly true that a publican was liable for permitting drunkenness unless he proved that he took all proper precautions, but he had known more than one hard case under that provision. There was a well-known case where the publican was actually asleep when the drunken person came into the bar, and he was fined and his licence was endangered; and there was another where the publican's instructions to his manager were disobeyed, and the publican was fined and lost his licence. The Solicitor-General had referred to the fact that under the Intoxicating Liquor Act of 1901 where the word "knowingly" was inserted a case had been decided in which a publican got off on proving that he had given strict orders to his servants to obey the Act, and they had disobeyed them. He did not think that was a very serious consequence of inserting the word. If he gave proper orders he ought not to be personally liable if they were disobeyed, but the servant ought to be liable.

MR. GRETTON said he did not go so far as to say the clause was intended more for the punishment of the licensee than for the protection of children, but unless amended, it laid the Government open to the accusation that they were more interested in penalising the licensee. It required very strong argument to set on one side the principle that a man should be deemed innocent until he was proved guilty. If he had taken every reasonable precaution that the law should be obeyed it would be an enormous hardship if he was penalised for some accidental infringement of the clause by the endorsement of his licence, which was a long step towards losing it, and with it his livelihood. He did not think the fact that the law was not enforced in one case owing to some misunderstanding of the word "knowingly" would convince the House that there should be a general upheaval of the legal principle that an accused man should be held to be innocent until he was proved to be guilty.

Amendment proposed to the Lords' Amendment—

"In line 4, after the word 'licence,' to insert the word 'knowingly.'"—(*Mr. Cave.*)

Question proposed, "That the word 'knowingly' be there inserted."

SIR S. EVANS said the principle that had been alluded to as a general principle of law relating to criminal matters was a very good one, that a man should be presumed to be innocent until he was proved to be guilty. But it was generally understood that that principle had been a good deal encroached upon in recent Acts of Parliament, and in a case of this kind the principle was invoked without sufficient foundation. Of course, he was not, as a lawyer, going to argue that an offence under the Licensing Act of 1872, or a contravention of this particular section, was not in some sense a criminal offence involving a criminal charge, but it was only a criminal charge in the sense that it was not upon the line of matters relating to civil law. Ordinarily speaking, when they talked about criminal law they meant the commission of a crime. This no doubt was a contravention of an Act of Parliament, and upon a prosecution for an offence under it there could be a conviction. Was it right, or was it not, to say that a man could not be convicted in a case of this kind, unless he knowingly committed that offence? They started here from this principle. *Prima facie* the presence of a child under fourteen in a public-house showed an offence. He ought not to be there said Parliament. Was it too much to say, therefore, that where that did occur the person who was responsible for the conduct of the business of the house, and to whom had been entrusted the position of being responsible for the conduct of the licensed premises, unless he proved that he used due diligence to prevent contravention of the Act, must he held to be guilty? The Amendment must be taken in conjunction with a consequential Amendment to leave out subsection (3). If the provision was considered with the provision in subsection (3), he did not think the House would say they were doing anything unreasonable in making this proposal, because what happened was that, where a child was found on licensed premises the holder of the licence could show, if he could, that he had used due diligence to prevent the child being admitted to the bar. That was to say, that as the person responsible for the conduct of the business of the house, he had taken such precautions as in the ordinary course of things would prevent this contravention of the Act. They thought that was a perfectly reasonable enactment to make, and they said also, first of all, that there was ample precedent for it, and if they put in the word "knowingly" it would open the door to a great deal of possible evasion. The Act of 1901 was an infraction of the 1872 Act, and did not provide precedent for them to follow. The precedent for them to follow was that of the 1872 Act, which made the licensed victualler himself liable whether he committed the offence by himself or through another for whom he was responsible. There were similar precedents in other statutes. In the Coal Mines Regulation Act of 1887 they had the same kind of legislation, the manager, agent or owner who was the person responsible for the mine *prima facie* being made liable. He thought the use of the word "knowingly" could easily be shown to be productive of a good deal of confusion. A magistrate had recently said that when the comic history of English legislation came to be written they would discover that the word "knowingly" was inserted in an Act of Parliament in order to make the Act a dead letter. Dealing with a similar matter of legislation in 1898 there was a proposal made in the House of Keys to insert the word "knowingly" and that assembly decided against the insertion. He thought that the Act had worked very well without it in the Isle of Man, and he hoped that in this matter the House of Commons would not fall below the standard of the House of Keys.

MR. BERTRAM differed from the Solicitor-General when he said that they should follow the 1872 Act rather than the Act of 1901. The use of the word "knowingly" was due to the fact that there was cast upon the licensee in the 1901 Act an obligation not to serve persons below a certain age. By using the word "knowingly" it was intended that the licence-holder should take reasonable precautions as to the age of the person he served with liquor. That Act had not been a dead letter. On the contrary, it had been productive of excellent results since it was passed. There had been isolated cases where it had failed, but that had not been due to the use of the word "knowingly." If the word "knowingly" was not included in this subsection, he thought a licensee would find himself in a tight place if, after proceedings were taken, the licensing justices decided under Section 122 that the age of a child was thirteen and it might subsequently turn out that the child was fourteen and a half. He thought it was very unfair not to insert the word.

*MR. HERBERT SAMUEL said there was some substance in the contention of his hon. friend. In a case where a licence-holder had been dealing with a person who looked sixteen but might subsequently be proved to be under fourteen, a possible injustice might occur. He thought the burden of disproof, however, should rest upon the licence-holder. He thought the case could be met by adding at the end of subsection (3) the words "or that the child is a person apparently over the age of fourteen."

Amendment to the Lords' Amendment negatived.

Lords' Amendment amended by inserting—

"In line 15, at the end, the words 'or that the child was apparently a person over the age of fourteen.'"—(*Mr. Herbert Samuel.*)

Amendment agreed to.

MR. HERBERT SAMUEL moved to insert in line 1 of subsection (4) words to prevent the application of the subsection "in the case of any child of the licence-holder." He said it had been pointed out that there were cases, and especially in Scotland, where the publican did not reside upon the licensed premises. His child might bring his meals to him, and that was a case which Government thought should be met by this Amendment.

Amendment proposed to the Lords' Amendment—

"In line 16, after the word 'apply,' to insert the words 'in the case of any child of the licence-holder or.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said he did not see the force of the right hon. Gentleman's argument, because there was nothing in the clause to prevent a child going into licensed premises. The right hon. Gentleman had said there was nothing to prevent a child going to other parts of the premises so long as it was not to a bar.

*MR. HERBERT SAMUEL: There are many public-houses which are all bar.

VISCOUNT HELMSLEY said the definition of "bar" given by the right hon. Gentleman was rather wider than he cared for, but it emphasised the point which he wished to bring under notice.

Amendment to Lords' Amendment, agreed to.

*MR. HERBERT SAMUEL moved to insert words to make the clause inapplicable to a child who was in the bar of licensed premises solely for the purpose of passing through in order to obtain access to some other part of the premises, not being a bar, where there was no other convenient means of access to that part of the premises. He said there were a certain number of public houses where the bar was a passage, so to speak, and it was only possible to get to the publican's private apartments or other parts of the premises by passing straight through the bar. Technically, a child so passing through might be held to be in the bar, and consequently there would be an offence committed by the licence-holder. He did not suppose any conviction would be obtained, but in order to make it clear that there was no offence in such a case he moved the Amendment.

Amendment proposed to the Lords' Amendment—

"In line 17, after the word 'premises,' to insert the words 'or who is in the bar of licensed premises solely for the purpose of passing through in order to obtain access to some other part of the premises, not being a bar, where there is no other convenient means of access to that part of the premises.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

MR. CHARLES ROBERTS (Lincoln) said he could not help deprecating the words of the Amendment which the right hon. Gentleman proposed to insert. It was said that the child would only be passing through the bar in order to get to the private premises of the publican. He quite admitted that a child's passing through a bar was a minor point; but, at the same time, he felt quite convinced that whenever there was an offence of this sort the defence invariably would be that the child was there to pay a visit to a playmate, and they could always get a number of people to take an oath that that was the case. He did not see why the House of Commons should be below the temperance opinion which obtained in the House of Lords, and he wished to make his protest against the Amendment.

MR. GULLAND (Dumfries Burghs) said he would like to associate himself with what had been said by the hon. Member for Lincoln. He was sure that if the Amendment were accepted, the ingenuity of the trade would get round the first subsection of the clause. He wished the Under-Secretary would state what he meant by the words in his Amendment—"some other part of the premises." The right hon. Gentleman mentioned in the discussion of a previous Amendment the case of Scotland. He knew of very few cases where a licence-holder had his entrance to his house through a bar; and if there was an eating place in the establishment, in his opinion, the access to it should not be through the bar. The access to the living part of the house should by a separate door, and not through the bar. He was extremely sorry that the right hon. Gentleman should have proposed this Amendment.

MR. GRETTON said that the speeches of the two hon. Gentlemen who had just spoken were the strongest comment possible on the administration of the licensing laws. He did not quarrel with these hon. Gentlemen. He recognised that they held extreme views. All he wanted to point out was that there was a structural difficulty in many licensed premises in the way of having a door by which a child might go into the living part of the house without going through the bar. He did not suppose that the two hon. Gentlemen opposite were prepared to go the length of saying seriously that in all cases and in all circumstances and on all occasions, the children of a licence-holder should be prohibited from going into licensed premises or entering the bar even for the purpose of taking their meals with their parents in a room set apart for that purpose.

*SIR FRANCIS CHANNING said he would like to associate himself with what had been said by the hon. Member for

Lincoln and the hon. Member for Dumfries Burghs, because it was perfectly obvious from the unanswerable arguments of his right hon. friend in reply to the Member for Huntingdonshire, that the words proposed to be now inserted in this clause would render evasion even more easy under that Amendment. It seemed to him that it would be most unfortunate if they accepted this Amendment, which would re-open the door which had been closed by the non-acceptance of the Amendment of the hon. Member for Huntingdonshire.

Mr. REES hoped the right hon. Gentleman the Under-Secretary would stick to his guns. He objected to the suggestion of the hon. Member for Lincoln that the standard of temperance in the House of Lords was higher than in the House of Commons. He wondered whether the hon. Members who objected to this Amendment had ever visited an ordinary public-house. Since the Licensing Bill was introduced, he himself had taken the trouble to inspect a great number of public-houses, and he could say that unless some such Amendment as was proposed by the right hon. Gentleman were accepted there could be no access whatever to the non-bar parts of the licensed premises. The hon. Member for Lincoln had suggested that there was always a back entrance to a public-house; but his experience in visiting a great number of public-houses was that in the majority of them there was absolutely no access to the living premises except from the front part of the house. It really seemed to him that an objection to so moderate an Amendment as that proposed by the Under-Secretary was the high-water mark of intolerance.

Mr. CHERRY did not think there was any Member in the House who was more anxious than himself to keep children out of public-house bars; but he thought it would be unreasonable not to allow children to pass through a bar for the purpose of getting tea with their parents when that was the only means of access. The hon. Member for Dumfries Burghs said that another access should be made. That reminded him of the story of a distinguished Fellow of Trinity College who made a large hole in the door of his coach-house for the admission of the dog, and another smaller one for the admission of the cat. The hon. Member seemed to wish that there should be one door for the licence-holder and another smaller one for the children. He thought the Amendment was a reasonable one and ought to be accepted.

Mr. JESSE COLLINGS said that the hon. and learned Gentleman had stated that it would be unreasonable not to accept the Amendment. He himself thought that the clause, amended or unamended, was unreasonable and unworkable, because in the majority of country inns and small public-houses on the roadside every room on the ground floor was a bar, and a child could not go to the living room where she might have tea with her parents without going through a bar. That constituted the hardship and the injustice of the clause.

Amendment to the Lords' Amendment, agreed to.

Amendment made to the Lords Amendment—

"By inserting in line 3 of subsection (4), after the word 'of,' the words 'railway refreshment rooms, or other.'"—(*Mr. Herbert Samuel.*)

Sir D. GODDARD (Ipswich) in moving to omit the words "or any part of the premises" from the definition of the word "bar," said he yielded to no one in his desire to save children from any contamination which might arise from their going into public-houses. He supported this clause as it came down from another place, and he believed the great majority of licence-holders would agree in the desire to keep children out of the drinking bar of their places, but the question arose as to whether the clause did not go further than was really intended. The matter had been raised several times that evening, and he would not go into it at length, but he would take the case of "trippers" at the seaside. They very often took their provisions for the day, and they went to eat or were driven by a storm for shelter into a room attached to licensed premises for that purpose. He supposed it was mainly provided by the publican for the purpose of dispensing drink, but that was the only place to which these people could go, and it seemed to him that there was a great deal of difference between keeping children out of bars and keeping them out of that perfectly innocent place. Or take again the case of people who went into a country town for the market. They put up their horse and cart at a public-house. The man went to the market and the family went into the town to do their shopping. The public-house was their place of meeting, and there was a room where they met. No doubt that room at some time in the day, certainly in the evening, would be correctly described as being mainly used for the supply of intoxicating liquor, though, perhaps, during the day it was not used for that purpose, but was used by people who went there to take their snack of food, although, doubtless, they might have drink. It seemed to him to be going too far in such a case as that to put it under a clause like this. He had put down an Amendment to leave out the words "or any part of the premises," but he was quite willing to admit that that might not be the best way of effecting the object he had at heart, and he would be most willing to accept any words which would meet his case in a better way. At present he did not see how they could meet this very legitimate use of licensed premises by children, who were always accompanied by their parents, except by omitting these words. The right hon. Gentleman would probably tell him that the case was covered by the words "mainly used," and if it was a place which was "mainly used" for the purpose of taking food as well as liquor that it would not come under this clause. If he could give him a positive assurance of that kind he was perfectly willing to accept it, but he would be most interested in hearing what he had to say in regard to the matter. In order that he might do so he begged to move the Amendment.

*MR. WHITBREAD seconded, and said the Amendment was entirely in accord with one he moved previously. The object of the clause, he took it, was to prevent the child from being taken into what was usually known as a bar, and he repeated what had often been shown in the course of this debate, that if they adopted the definition clause as it stood on the Paper in respect of a large number of country village inns there was no part of the ground floor which would not properly come under the provisions of this clause, and as the discussion had gone on it had become more and more obvious that in various parts of the House there was growing up a feeling that if this definition was to be adhered to in its entirety it would go far beyond the intentions of this new clause, and very far beyond its intentions as it originally appeared in the Licensing Bill on the Second Reading. It would also inflict a certain amount of hardship, which he thought they should always avoid if they could. He hoped they should not hear about this Amendment the argument which had been frequently used, that it would lead to evasions of the law. That was the answer to the Amendment which he moved himself, but the right hon. Gentleman accepted an Amendment which certainly admitted of far more risk of evasion of the law than his, he meant the proposal which allowed a child to be in a bar on the pretext that it was passing through to another part of the premises. He could not imagine a proposal which would give rise to more attempts at evasion than that, and he could not help feeling some sympathy with his hon. friend behind him when that argument was used against him. The hon. Member who moved the Amendment was thoroughly in accord with the spirit of this clause, and was, he knew, deeply impressed with the desirability of excluding children from what was called the contaminating influence of a bar. When they talked about that they had in their minds the brightly lit, large, attractive bar of a large urban gin palace, and they had not in their minds, and he did not think this clause was ever intended to cover the case of the small country village inn, which had been so aptly described by the hon. Member for Bordesley. That was a case in which, if this definition was adhered to, there would be a certain amount of unmerited and unintended inconvenience, and if they could have words which would get rid of that he hoped the Government would adopt them. He begged to second.

Amendment proposed to the Lords' Amendment—

"In line 22, to leave out the words 'or any part of the premises.'"—(*Sir D. Goddard.*)

Question proposed, "That the words proposed to be left out stand part of the Lords' Amendment."

*MR. HERBERT SAMUEL said the hon. Gentleman had warned him about accepting Amendments which would lead to evasion, and he should certainly bear his warning in mind in asking the House not to accept this Amendment. The intention of the proposal was to limit the prohibition of this clause only to the case of open drinking bars, whatever they might be, but he did not think it should be limited to that. From his point of view the mischief which the clause aimed at was just the same whether the facilities were actually in the form of a bar, or a room furnished with small tables and used mainly for purposes of drinking. It was just as desirable to exclude children from that particular room as from the open bar. In almost all better class inns there were rooms mainly used for meals or for commodities non-alcoholic. So far as these rooms existed children would be admitted. If they did not exist the children ought not to be admitted. To accept the Amendment would be to defeat the purpose of the clause.

VISCOUNT HELMSLEY said the speech which the right hon. Gentleman had just delivered showed a change of front from that which he adopted earlier in the afternoon, because he then gave as his description of a bar the commonly applied form which did not refer to rooms which were used for other purposes as well as for the sale of drink. His own attitude on this clause depended very largely upon the definition of the word "bar," and it seemed to him the crux of the whole position. He should like to see children prevented from going into a bar strictly so-called, and from being taken into those attached to the gin-palaces which were described just before by the hon. Gentleman opposite; but he agreed with the right hon. Member for Bordesley that they would create great hardship in rural districts if they prevented children being on licensed premises at all, because, unless this Amendment were accepted that was what it meant, and no matter at what inconvenience to the parent the child would not be allowed to come within the door. That was a very far-reaching provision, and went beyond what was proposed when the original Licensing Bill came before the House, and if the clause remained in that position he would not be prepared to support it, although he thought there was a considerable amount of good in it, inasmuch as it prevented a child from going into what was understood by an ordinary bar. It had been said by hon. Members that this House ought not to adopt a lower standard of temperance than that which had been attained even in the House of Lords. That was not an argument to which too much attention should be paid, although it was a new thing for hon. Members opposite to hold up the House of Lords as being so immaculate that their decisions should not be altered. The House of Lords made no secret of the fact that this was not a clause put in on their own initiative. It was salvage from the Bill which they had rejected. They said, although the Bill was bad still there were some good things in it, and they took this out of it. It was a clause that had never been discussed in this House, and, therefore, it was legitimate to discuss it now, in order that it might be made workable, and the great injustice that it entailed removed. He, personally, would prefer the words of his hon. friend which defined the position more closely, and said—

"Does not mean any bar in a room usually used for the supply of meals."

That was a better form of words and conveyed more accurately what they would like to see carried in the Bill. He had no objection to children being prevented from going into the actual bar of a public-house, but they wished to preserve to them the rooms not mainly or exclusively used for the consumption and sale of liquor. As a rule, the only room which would be used for this purpose in a country public-house would be the parlour, and that would be the only room which would not be open to the children.

Mr. REES said that his right hon. friend spoke, as if quoting from the Lords' Amendment, of a room used mainly or exclusively for the sale of intoxicating liquor. If those had been the words of the Amendment he would have entirely agreed with his right hon. friend, but the words were, "any part of the premises" which introduced an important distinction. Without going to the rural public-house, which certainly was far more deserving of considerate treatment than the gin-palace, he might point out that there were many houses in the suburbs of London where there was beside the bar a sort of annex, furnished with tables and chairs, where many people partook of perfectly innocent refreshments. Under the terms of this subsection "any part of the premises" would apply to such an annex. Did the right hon. Gentleman the Under-Secretary really mean to contend that such a place was on the same footing as a room mainly or exclusively used for the consumption or sale of liquor? If not, would he consider the Amendment which had been moved by his hon. friend, and which had been seconded and supported in such extremely moderate terms.

Question put.

The House divided:—Ayes, 166; Noes, 34. (Division List No. 458.)

AYES.

Abraham, William (Rhondda)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Baker, Joseph A. (Finsbury, E.)
Barlow, Percy (Bedford)
Barnes, G. N.
Barrie, H. T. (Londonderry, N.)
Beale, W. P.
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bright, J. A.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Forster, Henry William
Gibb, James (Harrow)
Gill, A. H.
Glendinning, R. G.
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn Sir W. Brampton
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Henderson, Arthur (Durham)
Higham, John Sharp
Hobhouse, Charles E. H.
Hooper, A. G.
Horniman, John Emslie
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Illingworth, Percy H.
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Laidlaw, Robert
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lewis, John Herbert
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Middlebrook, William
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Murray, Capt Hn A. C. (Kincard.)
Myer, Horatio
Norton, Capt. Cecil William
Nuttall, Harry
O'Kelly, James (Roscommon, N)
Parker, James (Halifax)
Partington, Oswald
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rendall, Athelstan
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon

Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Samuel, Rt. Hn. H. L. (Cleveland)
Scott, A. H. (Ashton-under-Lyne
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Smeaton, Donald Mackenzie
Snowden, P.
Stanley, Albert (Staffs, N.W.)
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. Dundas (Dumbart'nsh.
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Abraham, William (Cork, N.E.)
Acland-Hood, Rt Hn Sir Alex. F.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beck, A. Cecil
Bowles, G. Stewart
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Coates, Major E. F. (Lewisham)
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gretton, John
Halpin, J.
Hardy, Laurence (Kent, Ashf'rd)
Hazel, Dr. A. E.
Helmsley, Viscount
Herbert, T. Arnold (Wycombe)
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Mason, James F. (Windsor)
Nield, Herbert
Rawlinson, John Frederick Peel
Ronaldshay, Earl of
Stewart-Smith, D. (Kendal)
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)

TELLERS FOR THE NOES—Sir Daniel Goddard and Mr. Whitbread.

MR. HUNT moved to leave out the words "exclusively or mainly," and to insert the words "not entirely." He thought all the difference centred round the words "used mainly." It was very difficult to say how lawyers might interpret them. He knew of a public-house where there was one room which was not a bar, but in which people were served when the actual bar was full. Probably it would be held that that room was part of licensed premises where children could not be taken. It would be the same in a good many other cases. A man would not be able to take his wife and children into a public-house after they had been out for a walk or a drive, to get a cup of coffee, tea, or whatever they might want. The acceptance of the words "not entirely" instead of "used mainly" would certainly get rid of considerable difficulty. He could assure the hon. Gentleman that in his part of the world the people were not at all pleased about the clause. They said it would prevent them getting any refreshment for their children when they went out for a walk on a Saturday or a Sunday. He hoped the Government would see their way to accept the words he proposed.

SIR F. BANBURY seconded.

Amendment proposed to the Lords' Amendment—

> "In line 22 to leave out the words 'exclusively or mainly,' in order to insert the words 'not entirely.'"—(*Mr. Hunt.*)

Question proposed, "That the words proposed to be left out stand part of the Lords' Amendment."

*MR. HERBERT SAMUEL said this was the most extraordinary Amendment moved in the history of this or any other Bill.

SIR F. BANBURY: My hon. friend, of course, meant to move to insert the word "entirely" and not the words "not entirely."

*MR. HERBERT SAMUEL: Then the hon. Baronet who seconds presumes the Amendment proposes precisely the opposite to what it does. If the clause were amended as proposed, it would read: "In this section the bar of licensed premises means any open drinking bar or any part of the premises not entirely used for the sale and consumption of intoxicating liquor." A publican's bedroom was not entirely used for the consumption of liquor; but that would come under the hon. Gentleman's proposed definition of a bar. Presuming that the hon. Gentleman meant the opposite to what he said, and that he really wanted to insert the word "entirely" and not the words "not entirely," what would be the consequence? The clause would then read: "In this section the bar of licensed premises means any open drinking bar or any part of the premises entirely used for the sale and consumption of intoxicating liquor." Whisky was usually accompanied by the innocuous soda-water, and every part of a public-house where alcohol was sold was also used for the sale of other commodities, cigars, cigarettes, lemonade, biscuits, etc. Consequently, the Amendment would not only carry them no further than the drinking bar, but indeed not so far, and it was, therefore, obvious the Government could not accept it.

MR. JESSE COLLINGS thought this line of banter was not becoming on the part of the Under-Secretary. He knew, whatever the words were, that the intention of the hon. Member was to lessen in some way the onerous and unfair conditions which the clause, as it stood, would impose upon people. The Under-Secretary might think it a laughing matter, but it would not be treated as a laughing matter elsewhere, when the effect of the clause with the definition unaltered had been felt.

Amendment to the Lords' Amendment negatived.

MR. RAWLINSON moved to insert the words "but does not mean any bar in a room usually used for the supply of meals." He said his Amendment was mainly intended to exempt from the clause railway refreshment rooms. The Government had accepted an Amendment dealing with railway refreshment rooms, but he asked them to extend their concession to other rooms, of which there were a large number in different parts of the country, in which a genuine refreshment business was carried on, but in which there happened to be a bar at one end. They did not come within the usual description of a bar. He trusted the Government would accept the Amendment, having regard to the great inconvenience which might be occasioned to people who travelled with children and went into a town for a day and who must necessarily take them somewhere for refreshment.

MR. GRETTON seconded. He could not say that he preferred the Amendment to that standing in his own name and which he put down having in mind places of holiday resort where the owners of licensed premises just outside railway stations were endeavouring to do genuine refreshment business. He knew a licence-holder outside one of the largest railway stations in London who had a refreshment bar and who offered every morning as a contract to give breakfast to upwards of thirty children who went by an early train to one of the noted colleges on the South side of London. In the evening also he offered to give them by contract teas before they separated and went by 'bus and other means their various ways home. Unless some exception was made such as was proposed by the Amendment it would be impossible for him to continue these contracts. It was the custom of many people to go into the towns on market days to do their shopping. In the case of small market towns they put up at the inn and in the case of the larger towns they put up at some inn just outside. He did not think any serious question of the interest of the trade was raised, but he thought some effort should be made to meet these cases. He seconded the Amendment in the interests of the public convenience, and on that ground alone.

Amendment proposed to the Lords' Amendment—

"In line 23, after the word 'liquor,' to insert the words 'but does not mean any bar in a room usually used for the supply of meals.'"—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed be there inserted."

*MR. HERBERT SAMUEL thought the Amendment had substantially been considered by the House not on the question of railway refreshment bars, but on the question of the omission of the words "any part of the premises mainly or exclusively used for the sale and consumption of intoxicating liquor." If a room was mainly used for the purpose of supplying meals, it was clearly not mainly used for the purpose of intoxicating liquor.

MR. RAWLINSON said the bar of licensed premises meant any open drinking bar or any part of the premises exclusively or mainly used for the consumption of liquor. The kind of rooms he meant were those which had open drinking bars in them, and, therefore, would be hit by the fact that a child was in the same room in which there was an open bar, but was not using the drinking bar.

*MR. HERBERT SAMUEL said a place of that kind which had an open drinking bar was a place aimed at by the clause, and the concession the hon. Gentleman asked for was clearly opposed to the underlying principle of the clause. If it was not an open drinking bar, if the ordinary consumption of liquor was not going on in the place, it would be exempt. If the ordinary consumption of liquor by casual persons coming in was going on, it ought not to be exempt. If it was analogous to a railway refreshment-room there was an exemption already provided in subsection (4) which was not limited to refreshment-rooms, but extended to all cases to which the holding of a licence was mainly auxiliary, and these cases were indicated in a Schedule to the Act of 1904, covering hotels, restaurants, and eating-houses. On the other hand, if the Amendment were accepted the effect would be that any bar in a room in which meals were accustomed to be served would be exempt, even though the serving of meals was comparatively incidental. If the main purpose of the room was to enable customers to be served at the bar but incidentally, or even usually, other parts of the room were used for two or three people having meals, they would exempt the room altogether from the operation of the clause. That, of course, was much too wide an extension, and would give rise to very great evasion. The places which the hon. Member really wanted to exempt were now exempted. Those which he did not want to bring in would be brought into the exemption if the Amendment were exempted.

MR. HUGH LAW did not think it was quite the case that all the places which they desired to omit by the Amendment were really covered by the exemption. They were all at one in their object, he took it. Probably no one desired that children should be brought in and kept at the bar where people were drinking, but while it was true in the case of Ireland generally, that the houses were mainly houses in which other trades besides the sale of alcoholic liquor were carried on, and consequently would be exempted under the Amendment which the Attorney-General for Ireland was to move later, there were in certain districts houses of another kind in which there was a perfectly genuine refreshment business done. In Cork it was common for country people coming in to bring their families with them on market days to breakfast in public-houses. It might be very deplorable that there should be no other place for children to be brought, but that was unfortunately the case. It was all very well to say they could go to a tea-house, but supposing there were no tea-houses what was to be done? Was it or was it not the case that if a child was brought into a room in which there was a bar, for the purpose of being given breakfast, that child was in a bar under the terms of the section? He apprehended it would be. If there was any doubt about it, it ought to be made perfectly clear, but he was quite sure it was not the desire of the House nor of the Under-Secretary to create such difficulties as that. What the right hon. Gentleman was aiming at was the bringing in of children to places where drinking and drinking only was going on, and he was sure he did not want to exclude them from licensed premises because incidentally and at another time of the day there happened to be drinking going on in the same room.

MR. VERNEY (Buckinghamshire, N.) doubted whether the Amendment was properly drafted to carry out what the hon. and learned Gentleman meant. He did not think he meant exclusion from the bar, but exclusion from the room in which the bar was.

Mr. RAWLINSON thought it expressed what he meant. It meant that the section was not to apply to a bar which was merely part of a refreshment room, and that had been accepted as far as railway rooms were concerned. He proposed to extend that to any hotel or public-house which had a bar in one room in the same way.

Question put.

The House divided:—Ayes, 31; Noes, 182. (Division List No. 459.)

AYES.

Abraham, William (Cork, N. E.)
Acland-Hood, Rt Hn. Sir Alex. F.
Arkwright, John Stanhope
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Bowles, G. Stewart
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.
Coates, Major E.F. (Lewisham)
Collings, Rt. Hn. J. (Birmingh'm)
Courthope, G. Loyd
Craik, Sir Henry
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Halpin, J.
Hardy, Laurence (Kent, Ashford
Hunt, Rowland
Kennaway, Rt. Hon. Sir John H.
Mason, James F. (Windsor)
Mooney, J. J.
Nield, Herbert
O'Brien, Patrick (Kilkenny)
Ronaldshay, Earl of
Smith, Abel H. (Hertford, East)
Staveley-Hill, Henry (Staff'sh.
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)

Tellers for the Ayes—Mr. Rawlinson and Mr. Gretton.

NOES.

Abraham, William (Rhondda)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Baker, Joseph A. (Finsbury, E.)
Barlow, Percy (Bedford)
Barnes, G. N.
Barrie, H. T. (Londonderry, N.)
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bright, J. A.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Rt. Hon. Winston S.
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H (Sussex, E Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Crosfield, A. H.
Dalziel, Sir James Henry
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dobson, Thomas W.
Duckworth, Sir James
Duncan, C. (Barrow-in-Furness
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Illingworth, Percy H.
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Middlebrook, William
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal Tipperary Mid
Parker, James (Halifax)
Partington, Oswald
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C.E. (Edinb'gh, Central)

Price, Sir Robert J. (Norfolk, E)
Rendall, Athelstan
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Samuel, Rt. Hn. H. L. (Cleveland
Scott, A. H. (Ashton under Lyne)
Seddon, J.
Seely, Colonel
Shackelton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Smeaton, Donald Mackenzie
Snowden, P.
Stanley, Albert (Staffs, N.W.)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Ward, John (Stoke upon Trent)
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. Dundas (Dumbart'nsh.
White, Patrick (Meath, North)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williamson, A.
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

COLONEL WARDE (Kent, Medway) moved to add the following subsection, "(6) These provisions shall not apply to the holder of a licence of any licensed premises otherwise than in any urban area." He hoped, after what the right hon. Gentleman had already admitted as to the difference between rural and town public-houses, he might be inclined to accept the Amendment. He quite agreed that the surroundings in some of our large towns must be demoralising to children, but the case of innocent roadside rural public-houses was on a different footing. He could not help thinking that the right hon. Gentleman could not be as familiar with the inside of country public-houses as he claimed to be, or he would at once see the distinction be wished to draw.

MR. FLETCHER (Hampstead) seconded.

Amendment proposed to the Lords Amendment—

"At the end to add the words '(6) These provisions shall not apply to the holder of a licence of any licensed premises otherwise than in any urban area.'"—(*Colonel Warde.*)

Question proposed, "That those words be there added."

MR. HERBERT SAMUEL said the Government could not accept the Amendment. The village child needed protection just as the town child did, and there was no need for drawing this distinction. Besides, it should be remembered that among what were technically rural districts there were many cases of mining villages and small industrial towns where the circumstances were very similar to those prevailing in large towns. If the publican desired to give facilities for child messengers he could have a separate jug and bottle department for the purpose. If he desired to cater for persons having meals he ought to separate the rooms designed for that purpose from the ordinary bar.

Amendment negatived.

MR. RAWLINSON said he had put down an Amendment in order to draw the attention of the House to the different state of affairs existing in Ireland and Scotland from that in England. These clauses which had been added by the House of Lords were taken practically straight from the Licensing Bill, which did not apply to Ireland or Scotland, but he fancied those who put the new clauses into the Bill did not realise at the time they did it that they would apply to Ireland and Scotland as well. The state of affairs in Ireland was very different from that in England. In Ireland there was a very large number of shops where ordinary commodities were sold, and where there was a bar in which drink could be obtained. He was told the state of affairs in Scotland was different from that in England as well. He had put the Amendment on the Paper in order to draw the attention of Irish Members to it, but he did not propose to press it.

Lords' Amendment, as amended, agreed to.

Lords' Amendment—

"In page 68, lines 1 and 2, to leave out the words 'Before making any order under this

Act with respect to,' and to insert the words 'Where a person is brought before any Court, whether charged with an offence or not, and it appears to the Court that he is,' "—read a second time, and amended, by inserting, after the word "person," the words "whether charged with an offence or not," and by leaving out the words "whether charged with an offence or not," and inserting the words "otherwise than for the purpose of giving evidence."—(*Mr. Herbert Samuel.*)

Lords' Amendment, as amended, agreed to.

Lords' Amendments—

"In page 68, line 3, to leave out the words 'the person alleged to be a child or young.' and to insert the word 'that.'"

"In page 68, line 5, to leave out the words 'the order when made,' and to insert the words 'an order or judgment of the Court.'"

"In page 68, line 9, to leave out the words 'alleged to be a child or young person,' and to insert the words 'so brought before it.'"

"In page 68, line 10, after the word 'person,' to insert the words 'and when it appears to the Court that the person so brought before it is of the age of sixteen years or upwards, that person shall for the purposes of this Act be deemed not to be a child or young person.'"

Agreed to.

Lords' Amendment—

"In page 68, line 25, to leave out the words 'by or.'"

Read a second time.

*MR. HERBERT SAMUEL said this was only a drafting Amendment, but he took the opportunity of moving to agree to draw the attention of the House to the fact that in all the provisions of this Bill there was now no new offence created committed by any child.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. GRETTON said he understood the general age of the children throughout the Bill was fourteen years. In the Amendment just carried it was stated it was sixteen years. The Government had not explained why they wanted the age in this particular clause to vary from the age in the general provisions of the Bill.

*MR. HERBERT SAMUEL: The two ages run all through the Bill. The age of a child is fourteen, and the age of a young person is sixteen.

Lords' Amendment agreed to.

Lords' Amendment—

"In page 68, line 31, to leave out the words 'by or.'"

"In page 70, line 12, to leave out the words 'Petty Sessional Court or.'"

"In page 70, line 13, after the word 'jurisdiction,' to insert the words 'whether a Petty Sessional Court or not.'"

"In page 70, line 18, to leave out the words 'Petty Sessional Courts and.'"

"In page 71, line 4, after the word 'person,' to insert the words 'The expression "common council" means the mayor, aldermen, and commons of the City of London in common council assembled.'"

"In page 71, line 8, after the word 'fund,' to insert the words 'as respects the City of London, mean the common council and the fund out of which the expenses of the city police are defrayed, and elsewhere.'"

"In page 71, line 40, after the word 'Scotland,' to insert the words 'shall be substituted for the Local Government Board and.'"

"In page 71, lines 40 and 41, to leave out the words 'be substituted for the Local Government Board,' and to insert the words 'for the purposes of Part I. of this Act, have the same powers of making inquiries, calling for returns, and applying to the Court of Session as they have for the purposes of the Poor Law (Scotland) Act, 1845.'"

"In page 73, line 9, after the word 'sat,' to insert the words 'and any similar expression.'"

Agreed to.

Lords' Amendment—

"In page 73, line 34, after the word '1890,' to insert the words 'Provided that, in the case of a royal parliamentary or police burgh, the expression 'police authority," where occurring in Section 58 and in Section 120 of this Act, means the town council; [and provided further, that where in any such burgh expenses chargeable to the police fund or as part of the current expenses of a police authority would, under the existing law, be payable out of the burgh general assessment, expenses so chargeable under the provisions of this Act shall be defrayed as expenses incurred by a town council under Section 74 of this Act.]'"

Read a second time.

THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs) said the Amendment appeared on the Paper in italics [the portion within brackets] to indicate that it related to finances; but it was quite in order, and he moved that the House do agree with it.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

LORD R. CECIL asked the Government if they were willing to make themselves a party to this gross infringement of their privileges. He understood it was a mere dodge resorted to to insert by a side wind an Amendment which would be a breach of their privileges, and he was indeed surprised that a democratic House of Commons, led by a democratic Government, should lend themselves to what they had described as a trick. This was the very plan which was held in 1902 by hon. and right hon. Gentlemen opposite to be a method of getting round the privileges of the House. He wished to know whether this was being sanctioned by a democratic Government.

Lords' Amendment agreed to.

Lords' Amendment—

"In page 73, line 41, after the word '1907,' to insert the words 'and to any section thereof.'"

Agreed to.

Lords' Amendment—

"In page 74, line 5, after the word '1864,' to insert the words 'and the reference to the Licensing Acts, 1828 to 1906, as a reference to the Licensing Acts, 1828 to 1906, as a reference to the Licensing (Scotland) Act, 1903, provided that the expression "holder of a licence" means holder of a certificate under the last-mentioned Act.'"

MR. THOMAS SHAW moved to disagree with the Lords' Amendment, and in lieu thereof to insert the following words: "and references in section one hundred and nineteen and section one hundred and twenty to a licence, to licensed premises, and to intoxicating liquor, respectively, as references to a certificate, to certificated premises, and to exciseable liquor, with the meaning of The Licensing (Scotland) Act, 1903." He explained that this Amendment was necessary in order to make the terminology of the Bill square with that contained in the Act of 1903.

Lords' Amendment disagreed to.

Amendment made to the Bill—

"Instead of the words so disagreed to, by inserting in page 74, line 5, after "1864," the words "and references in section one hundred and nineteen and section one hundred and twenty to a licence, to licensed premises, and to intoxicating liquor, respectively, as references to a certificate, to certificated premises, and to exciseable liquor, with the meaning of The Licensing (Scotland) Act, 1903."—(*The Lord Advocate.*)

Subsequent Lords Amendments to the Amendment in page 77, line 8, agreed to.

Lords' Amendment—

"In page 77, line 8, after the word 'Scotland' to insert as a new subsection—'(24) Subject to the provisions hereinafter contained, nothing in this Act shall be construed to repeal, alter, prejudice, or affect any, of the provisions of the Glasgow Juvenile Delinquency Prevention and Repression Acts, 1878 and 1896 (hereinafter referred to as the Glasgow Acts, and the Commissioners and the directors acting under the Glasgow Acts shall continue to have the full rights, privileges, and powers at present competent to them. Provided, nevertheless, that the Secretary for Scotland may, by order under his hand, provide for altering, amending, or adapting the Glasgow Acts so as to provide: (*a*) For the retiral of the existing directors, for the re-constitution of the board of directors, for the election of new directors, for subsequent elections of directors, for the annual retiral of one-third or other proportion of the directors, and for supplying vacancies arising from time to time; [(*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of Section 74, of this Act instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments]; (*c*) for authorising the said directors to grant securities over all lands and heritages vested in them, including school houses; (*d*) for raising the age up to which, under the Glasgow Acts, a child may, upon the request of the school board, if the Court think it expedient, be sent to a certified day industrial school from thirteen years to fourteen years, and for providing that any order for payment of contributions by a parent under the Glasgow Acts shall be enforceable as a decree for aliment; and (*e*) for otherwise altering, amending, or adapting the provisions of the Glasgow Acts, as may seem to him necessary to make those provisions conform with the provisions of this Act, or to enable the powers under the Glasgow Acts to be exercised as if they were powers under this Act. Any such order may be revoked and varied by a subsequent order. (25) The immediately preceding subsection shall apply to the Aberdeen Reformatories and Industrial Schools Act, 1885, as if it were herein re-enacted with the omission of the portions thereof under the headings (*b*) (*c*), and (*d*), and with the substitution of the last-mentioned Act for the Glasgow Acts."

Read a second time.

Amendment proposed to the Lords' Amendment—

"In line 14, to insert at the end thereof, the words '(*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of Section seventy-four of this Act instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments.' "—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

MR. GULLAND (Dumfries Burghs) stated that when the Bill was in Committee upstairs it came out that the authorities in Glasgow had been sending Catholic children to an industrial school in Aberdeen, and that they refused to contribute for their maintenance on the ground that their special Acts forbade them from contributing to industrial schools outside their own boundary. In the Committee they were assured that the law would be changed in that matter, and that Glasgow would have power to contribute towards the maintenance of children sent to industrial schools outside. It was a little difficult for a layman to follow the meaning of the new clause, and, therefore, he wished to have an assurance from the Lord Advocate that the Glasgow authorities would be able to contribute towards the maintenance of Catholic or other children sent outside their boundary.

MR. THOMAS SHAW said there was what he might call an extra-urban provision in respect of these children. It would meet the point which had very properly been raised by the hon. Member.

Question put, and agreed to.

Lords' Amendment, as amended, agreed to.

Lords' Amendment—

"In page 78, line 31, to leave out the word 'thirteen,' and to insert the word 'fourteen.' "

Agreed to.

Lords' Amendment—

"In page 79, line 8, after the word 'apply,' to insert the following new subsection: '(17) The exemptions from Part I. of this Act contained in Section eleven thereof shall extend to any person who undertakes for reward the nursing and maintenance of such infants only as are boarded-out with him by some religious or charitable society or institution approved by the Local Government Board for Ireland—' "

Read a second time.

MR. POWER (Waterford, E.) moved to amend the subsection by leaving out the word "infants" in line 3, and inserting the words "or infant." He said Ireland had not been treated in the fairest possible manner in this matter. The Irish representatives had been taken by surprise. The Amendments made in another place were not brought forward on the Second Reading or the Report stage, but at the last moment on the Third Reading. A clause was inserted which changed the whole nature of the Bill so far as Ireland was concerned. Certain exemptions which Ireland never asked for were made, and that country had been placed in an inferior position. Earlier in the session he was one of a Select Committee appointed to inquire into the condition of boarded-out children. The witnesses were agreed that a certain amount of supervision was absolutely necessary, but they were not all agreed as to what the style of inspection should be. There was no doubt that there was a great deal of cruelty and indifference on the part of people with whom children were boarded-out, and there ought to be some supervision. He would not labour the point, but anyone who took the trouble to read the evidence and the Report of the Committee would find that there was a condition of things which called for remedy. He moved this Amendment in order that the subsection might apply to a house where one child was boarded as well as to places where a number were boarded.

MR. HUGH LAW seconded the Amendment.

Amendment proposed to the Lords' Amendment—

"In line 3, after the word 'infants,' to insert the words 'or infant.' "—(*Mr. Power.*)

Question proposed, "That those words be there inserted."

MR. CHERRY assured his hon. friend that the words were entirely unnecessary. The Interpretation Act of 1889 provided that words in statutes in the singular might be read as importing the plural, and that words in the plural might have been read in the singular, unless otherwise expressly stated in the statute. Here the word "infants" would include a case where there was only one infant.

SIR HENRY CRAIK asked why these people were to be exempted from the inspection which was deemed necessary in other cases.

MR. BOLAND said that this Amendment had something to do with the Amendment which he had on the Paper, and the result of it would be to exclude from the provisions of the Bill those children who were boarded-out by religious or charitable societies or institutions approved of by the Local Government Board for Ireland. Why should such a clause be put in with regard to Ireland and not with regard to England, Scotland, or Wales? He was sure that every hon. Member wanted all children who were boarded-out to be subject to inspection; and no explanation had been given why this particular subsection should have been inserted by the House of Lords. The effect of this Amendment by the House of Lords would be that in Ireland there would be some children who would not be subject to inspection, and the object of that portion of the Bill would be defeated.

MR. BARRIE said he would regard it as a misfortune if this class of children were left out of all inspection, and he hoped that the Minister in charge of the Bill would not accept the Lords' Amendment.

*MR. HERBERT SAMUEL said that it was on the proposal of an hon. Member opposite that he had agreed to the exemption of the children boarded-out by religious or charitable institutions approved of by the Local Government Board of Ireland. The Government thought that that was a sufficient safeguard. On the merits of the question the Government did not attach much importance to this Amendment, and they would not insist upon accepting it.

Amendment, by leave, withdrawn.

Lords' Amendment disagreed to.

Lords' Amendment—

"In page 82, line 20, after the word 'evidence,' to insert as a new subsection the words '(30) The Licensing (Ireland) Acts, 1853 to 1905, shall be substituted for the Licensing Acts, 1828 to 1906.'"

Read a second time.

MR. CHERRY, in moving to substitute another subsection, said that this was an agreed Amendment. Over the greater part of Ireland it was a rare thing to have a public-house exclusively for the sale of liquor. Almost all the houses also sold groceries, drapery, hardware, etc.; and it would be great hardship to prevent children going into these shops who only wished to buy groceries or drapery. He thought the representatives of Ireland, whether they had strong temperance views or otherwise were agreed that this clause should be inserted. He begged to move.

Lords' Amendment disagreed to.

Amendment proposed to the Bill—

"Instead of the words so disagreed to in page 82, line 29, at the end, to insert the words —'(30) The provisions of Section one hundred and twenty of this Act (relative to the exclusion of children from bars of licensed premises) shall not apply in the case of any child going to or being upon licensed premises if a substantial part of the business carried on upon the premises is a drapery, grocery, hardware, or other business wholly unconnected with the sale of intoxicating liquor, and the child, or the person (if any) in whose custody the child is, goes to or is upon the premises for the purpose of purchasing goods other than intoxicating liquor; and the reference in the said section to the Licensing Acts, 1828 to 1906, shall be construed as a reference to the Licensing (Ireland) Acts, 1833 to 1905.'"—(*Mr. Cherry.*)

Question proposed, "That those words be there inserted."

SIR F. BANBURY said he had listened to the speech of the right hon. and learned Gentleman, and he could not say that it was at all satisfactory. As to his statement that it was an agreed clause he was told it was not by an hon. Member from Ireland. His second objection was that the right hon. and learned Gentleman in reply to an interruption by him as to why this clause should apply to Ireland only and not to England, told him that in Ireland it was the custom to attach to a public-house certain other businesses, but he remembered a proposal of his hon. and learned friend behind him who was now asleep to the effect that refreshment rooms in which there was a bar, which was only part of the business carried on, should not be included in a clause, being received with derision by the Treasury bench.

MR. CHERRY: Not by me.

SIR F. BANBURY: The right hon. and learned Member voted against my hon. and learned friend.

MR. CHERRY: I did not receive it with derision.

SIR F. BANBURY said at all events he voted against his hon. and learned friend, and this was a precisely similar Amendment in regard to Ireland. Much as he desired to see extended to Ireland privileges which were given to England, he did not think this privilege which was not given to England should be conferred. Although he was accustomed to contradictory utterances on the bench opposite he could not see how they could reconcile it with their consciences to bring forward this clause when they rejected the Amendment of his hon. and learned friend. Hon. Members below the gangway also voted against that Amendment, and he was, therefore, justified in opposing this one.

MR. MOONEY said he had listened with great interest to the illuminating speech of the hon. Baronet because it showed absolute ignorance of the conditions which prevailed in Ireland. The hon. Baronet seemed to think that because a clause was good for one country it was good for another, but he thought that was the weakest argument that he had ever heard him deliver. They had a particular claim to consideration in Ireland, because outside of Belfast and Dublin they would not find a single case of licensed premises which were not affected by this clause. When the Bill was discussed in Committee upstairs Irish Members did not interfere with the portions of the Bill which dealt with England but confined themselves to the case of Ireland. He was surprised that the hon. Baronet, as representing the Corporation of the City of London, which was one of the largest landowners in Ireland should try to upset a clause which would favourably affect licensed premises on his own property.

LORD BALCARRES could not understand why if it was no damage to a child in Ireland to go into licensed premises where boots and drapery, etc., were also sold it should injure a child in this country. There were other businesses conducted in public-houses here as well as the sale of liquor. [Cries of "What."] Well, there was the business of jobmaster which was very naturally associated with that of a public-house. He knew public-houses at tourist centres where stationery, and so forth, was sold, and everybody knew that the tobacconists trade was carried on by publicans. He should like to know why this exemption should be made for Ireland and not for England. He thought the question deserved some answer from the English point of view.

*MR. HERBERT SAMUEL said he should be very glad to answer the hon. Member's question, although they had reached a stage in the Bill at which it would be impossible to apply this provision to England. The reason it was applied to Ireland was that the Irish conditions were totally different, and the circumstances were not the same in the two countries. They were reluctantly compelled to make these exceptions. The great majority of licensed premises in Ireland were not public-houses as they were known in this country, but village shops which had a licence to sell liquor. To say no child was to go into a village shop because it sold liquor was to take a wrong attitude. It could not be justified. The conditions were not the same.

Mr. BOWLES said the House should observe how this might affect the operation of the Bill in Ireland. Any publican in town or country had but to hang up a few boots or stockings or something else and he would come within this provision. ["No, no."] Who would decide whether it was a substantial part of the business?

Mr. CHERRY: The magistrates..

Mr. BOWLES thought it opened up a wide field for dispute. For his part. he agreed with his noble friend. If it was wrong for a child in England to enter a drinking bar, it was also wrong in Ireland. In the interests of equality and fair treatment he saw no special reason why this exemption should be made in this case.

Mr. C. B. HARMSWORTH (Worcestershire, Droitwich) said his right hon. friend had accepted this Amendment, though from the speeches neither his right hon. friend nor the Attorney-General for Ireland regarded this Amendment with any particular favour. He himself regarded it as a great blot on a splendid Bill. He would never forget his astonishment the first time he went to Ireland to find that in grocers' and drapers' shops an open drinking bar was part and parcel of the premises. He thought it would be most desirable, at all events in urban areas, to keep children out of such places. He had no hesitation in saying that a village inn in England was a paradise compared with the ordinary public-house in Ireland.

Mr. BARRIE admitted that the conditions of Ireland differed greatly from those of this country, but reminded the House that in many parts of rural Scotland the public-houses were on all fours with those of Ireland. If this clause, therefore, was to be accepted for Ireland it should also be applied to the rural districts of Scotland. He, however, recognised the differences of Ireland, though he regarded this Amendment as a capitulation by the Government to hon. Members below the gangway, and recognised that it was hopeless for him to oppose it.

Mr. HUGH LAW was glad the right hon. Gentleman had put down this Amendment. He thought no one would accuse him of not being a temperance reformer in his own country, but he quite recognised that here there was a case to be met. The real case was not as the noble Lord had stated it, "beer with boots," but "boots with beer." It would really be preposterous, if a child of twelve, thirteen, or perhaps fourteen, passing a shop on the way home from school, was to be precluded from going in and buying a quarter of a pound of tea or sugar, merely because in the same room—unfortunately these places were not palatial—where drapery and other goods were sold there happened to be a bar. That was the case which the Amendment was mainly designed to meet. He did not think it went far enough, and he hoped the Government would see their way to accept one small Amendment. If a child went into the shop with its parents, surely it would be absurd to turn it out because, after purchasing their goods, its parents bought a half-dozen porter. They were all at one in desiring that children should not stay in public-houses in the ordinary sense of the word while their parents were drinking. Nobody wanted that, and they were not asking that Ireland should be exempted. It was more or less discreditable, and he believed the trade itself did not want it. On the other hand, it was no use irritating people unnecessarily, and he thought it would be well if the Government were to accept the insertion of the words "for consumption on the premises." That would make it perfectly clear that the parent must not keep his child with him whilst he was drinking. On the other hand, it was not necessary to turn children out if, along with other goods, parents desired to purchase half-a-dozen porter.

Mr. J. MACVEAGH (Down, S.) seconded. He was a strong supporter of all temperance legislation; he had never cast a vote against it, and he would not support this Amendment if he was not convinced it was reasonable. His hon. friend had suggested an Amendment which adhered to that of which he himself had given notice, and which he did not move because the Attorney-General had given notice of an Amendment which practically covered the two. The words "for consumption on the premises" were part of his Amendment which was not incorporated in that of the Government, and if the Government would accept them it would meet the entire case and put the matter beyond any possibility of misunderstanding.

Amendment proposed to the proposed Amendment—

"In line 8, after the word 'liquor,' to insert the words 'for consumption on the premises.'"—(*Mr. Hugh Law.*)

Question proposed, "That those words be there inserted."

MR. CHERRY said the fact that the two hon. Members were such well-known advocates of temperance, one of them being a temperance worker, indicated there was no desire to injure children on their part; and he thought it was very unreasonable, if, when a man was in a shop with a boy buying drapery, hardware, or anything else, he could not buy a bottle of wine without turning the boy out. The Government would therefore accept the Amendment. It would only allow wine or beer to be bought for consumption off the premises. Under the Act of 1901 they could send a child for the purpose of buying liquor for consumption off the premises.

SIR F. BANBURY said his hon. friend had moved that the Child Messenger Bill should be excluded from the object of the clause. The Government voted against that, but when a similar Amendment was moved by hon. Gentlemen below the gangway, the Attorney-General for Ireland got up and said it was reasonable, and the Government would accept it. Really, this was going too far. An Amendment applying to England was rejected because it would encourage intemperance; but an Amendment applying to Ireland, moved by an hon. Member below the gangway, was immediately accepted. This proved the ludicrousness of the Bill and of the attitude of the Government. They really did not care twopence what was going into the Bill; all they wanted was to please both their temperance supporters on their own side of the House, and their supporters on the Nationalist benches. They did not care what inconsistencies there were.

MR. SWIFT MACNEILL (Donegal, S.) congratulated the hon. Baronet on having become an advocate of temperance at middle age, and said it was all the more delightful, because of his benevolent desire to see that no temptation was thrown in the way of Irishmen's children. He could assure the hon. Baronet from some knowledge on the subject, that more wine was consumed there in a single night than in the whole of Ireland in a week. He would give the argument of his hon. friend above the gangway the credit it deserved. He would give it the appreciation that Henry Grattan bestowed on a similar argument. His hon. friend's argument was that unheard of things would happen if this very innocuous Amendment was allowed to pass. Grattan said—

"You cannot argue with a prophet. You can only disbelieve him."

And he most profoundly disbelieved the hon. Member. He passed with some fear and deference to the elaborate argument of the noble Lord on the front Opposition bench. He could only say that when he attained to the House of Peers, there would be a chance for that House yet with his illuminating wisdom. The noble Lord thought it was a wrong thing that there should be a public-house in Ireland to which children should resort, though not for the sake of intoxicating liquor. He knew how vitally this matter affected the prosperity of Irish small traders. His hon. friend opposite knew Ireland extremely well. He had cycled and motored through the greater part of it, and he well knew that in the small villages, as a rule, there was only one shop, the general traders' shop, which was a kind of market and commercial house for the whole countryside, and in it wines were sold, and there was a bar, too. But the difference between the ordinary village shop, generally called the shop, where everything was sold, and the beer shop or wine shop of this country in which liquor was exclusively sold, should be apparent even to understandings less intelligent than those of some Gentlemen who were benefactors of Ireland, having done their best to prevent temperance legislation for England. He had received telegrams and letters, some of a pathetic character, in reference to this or some similar clause, as proposed by the Irish Attorney-General, being passed. He had received letters and telegrams from small traders saying that if the provisions contemplated by hon. Gentlemen opposite were allowed, their trade was at an end—not merely the trade in liquors, but their whole trade and means of livelihood. If such a thing as that should be done, there ought to be at least a time-limit. The whole thing was extremely wrong. It was wrong to the customer and to the shopowner. The opinion of Ireland was unanimous on the point, notwithstanding the hon. Gentleman who, although he represented an Irish constituency, by accident was a Scotsman. He did not propose similar legislation for Scotland. It was only when the trade of the country was at stake, when inconvenience would be promoted under the specious garb of protecting children, who were admirably protected by the Bill, that this scheme of the Government was brought forward and he hoped very sincerely that the House would accept the clause by a large majority.

*SIR HENRY CRAIK called the attention of the House to the very extraordinary constitutional matter which was involved, and one which would be serious if it were not so absolutely ludicrous. They were considering the Amendments of the House of Lords, and they were at liberty to reject or in some small way to modify them. On the flimsy basis of the Amendment they were now considering, the right hon. Gentleman proposed to introduce an entirely new clause into the Bill.

MR. CHERRY: This Amendment is really consequential on the admission into the Bill of the other clauses which were disposed of previously.

*SIR HENRY CRAIK said the Attorney-General moved to disagree with the Lords' Amendment, and to insert a new subsection. The Amendment recited certain Acts which were to be read with this Bill, and the Attorney-General moved to disagree with what was a purely drafting clause, and in place of it, he moved a section which was to introduce an entirely new principle into the Bill. The hon. Member for Donegal said he had received many letters. He should like to know when he received them. Had they been quite recent? Had they reached the ears of hon. Members below the gangway, and through them the Treasury bench since the Bill left the House, and had they taken the excuse that the procedure and the Amendments in the House of Lords had afforded them to recast in a very important point their Bill and to make a distinction between different parts of the kingdom? Now they found there was some use for a House of Lords, and that it might be a convenient accommodation whereby a simple verbal Amendment of the House of Lords might be made an excuse and a foundation for introducing a vital change, forgotten or not sufficiently pressed when the Bill was before the House, and now impressed upon the House by Members below the gangway by letters and telegrams, the date of which the hon. Member for Donegal would not tell them. They had no means of altering it if the House of Lords had not touched the Bill. After such conduct on the part of the Treasury bench they might hear less, perhaps, of the absolute uselessness of the House of Lords. They now knew it might be made an engine of extreme convenience and utility when it suited party exigencies.

MR. KETTLE (Tyrone, E.) said the hon. Gentleman seemed to have forgotten that this was a clause from the Licensing Bill originally introduced for England alone and not intended to apply to Ireland. He was greatly interested in the point of constitutional law raised by the hon. Gentleman who had just sat down. He did not know there was any constitutional law in this country. He thought it was a series of divinely inspired blunders. He entirely agreed with the hon. Gentleman, and that was the chief reason it gave him pleasure in voting for the Amendment. It amounted to a substantial repeal of the Act of Union. It showed the entire responsibility of legislating on the same lines on any given subject in England and in Ireland. The noble Lord said he did not understand the Irish question. He now understood why the noble Lord was a Unionist. When Irish questions were under discussion the speeches of the Irish party necessarily resolved themselves into classes of elementary instruction with regard to those questions in Ireland. His hon. friends had proved that this Amendment was not directed against temperance but to the special conditions prevailing in Ireland, and the House ought to have no difficulty in voting in favour of it.

Mr. MITCHELL-THOMSON said he had already expressed himself very strongly in favour of the principle of the clause, and he thought the doubts he had expressed as to the wisdom of applying it straight off to rural areas were more than justified by the discussions they had heard. The hon. Member for Donegal was frankly protectionist. He told the House he was out in the interests of the Irish trader, and if he understood his case rightly it was that the Irish trader could not continue to exist unless children came to the premises where liquor was sold. If that was so, so much the worse for the Irish trader. He was sorry the Vice-President of the Board of Agriculture was not there, because he should like to have heard what he had to say. Browsing in past debates was an idle pastime, but he recalled the right hon. Gentleman's speech on a temperance measure much more extreme than this, not a Bill for excluding children from premises where liquor was sold, but a Bill to prevent liquor from being sold at all. Speaking in 1895 on the Local Veto Bill, he said—

> "Why should Ireland be excluded? Was it because Ireland did not require it?"

The hon. Member for Donegal said Ireland was temperate. He answered him by the Vice-President—

> "Anyone going to the South and West of Ireland would find every town, village, and hamlet literally stuffed with public-houses and steeped in drink. In the town of Castleisland, with a population of 1,200, there were forty-seven liquor shops. If the Bill ought to be applied to any part of the kingdom it ought to be applied to Ireland. The exclusion of Ireland, he said deliberately, was part of a bargain. What was the compact? Leave Ireland out and all the difficulties vanished. Hon. Members for Ireland had no objection if Ireland was left out to force this principle upon Englishmen who did not want it."

He wished the right hon. Gentleman were there to make his comment on the procedure the Government had chosen to adopt.

Amendment to the Amendment agreed to.

Question put, "That those words, as amended, be there inserted."

The House divided:—Ayes, 143; Noes, 26. (Division List No. 460.)

AYES.

Abraham, William (Cork, N.E.)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W.C. Heaton
Barlow, Percy (Bedford)
Beaumont, Hon. Hubert
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bright, J. A.
Brunner, J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cherry, Rt. Hon. R. R
Churchill, Rt. Hon. Winston S.
Clough, William
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.Pancras,W.
Cooper, G. J.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cowan, W. H.
Crosfield, A. H.
Cullinan, J.
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.)
Dobson, Thomas W.
Duckworth, Sir James
Duncan,C.(Barrow-in-Furness)
Edwards, Sir Francis (Radnor)
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fuller, John Michael F.
Gill, A. H.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon,RtHn.Sir W.Brampton
Gwynn, Stephen Lucius

Halpin, J.
Harcourt, Robert V. (Montrose)
Harvey, A. G. C. (Rochdale)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Henderson, Arthur (Durham)
Henry, Charles S.
Higham, John Sharp
Horniman, Emslie John
Hudson, Walter
Idris, T. H. W.
Illingworth, Percy H.
Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kettle, Thomas Michael
Kincaid-Smith, Captain
Laidlaw, Robert
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lewis, John Herbert
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Middlebrook, William
Montagu, Hon. E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Newnes, E. (Notts, Bassetlaw)
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Partick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Kelly, James (Roscommon, N.
Parker, James (Halifax)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Richards, T. F. (Wolverh'mpt'n)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Rogers, F. E. Newman
Samuel, Rt. Hn. H. L. (Cleveland
Scott, A. H. (Ashton-under-Lyne
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Talbot, Lord E. (Chichester)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Waring, Walter
Warner, Thomas Courtenay T.
Watt, Henry A.
White, J. Dundas (Dumbart'nsh.
White, Patrick (Meath, North)
Whitley, John Henry (Halifax)
Wiles, Thomas
Wilkie, Alexander
Williamson, A.
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Balcarres, Lord
Banner, John S. Harmood-
Beck, A. Cecil
Bowles, G. Stewart
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Channing, Sir Francis Allston
Courthope, G. Loyd
Forster, Henry William
Hardy, Laurence (Kent, Ashford
Harmsworth, Cecil B. (Worc'r)
Hazel, Dr. A. E.
Hedges, A. Paget
Howard, Hon. Geoffrey
Joynson-Hicks, William
Mason, James F. (Windsor)
Rawlinson, John Frederick Peel
Rendall, Athelstan
Renwick, George
Staveley-Hill, Henry (Staff'sh.)
Thomson, W. Mitchell- (Lanark)
Wedgwood, Josiah C.
Wortley, Rt. Hn. C. B. (Stuart-

TELLERS FOR THE NOES—Sir Henry Craik and Sir Frederick Banbury.

Lords' Amendment—

"In page 82, line 24, to leave out the word 'January,' and to insert the word 'April.'"

Agreed to.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of: The Lord-Advocate, Mr. Attorney-General for Ireland, Mr. Hugh Law, Mr. Herbert Samuel, and Lord Edmund Talbot.

Three to be the quorum.

To withdraw immediately.—(*Mr. Herbert Samuel.*)

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

Considered in Committee.

(In the Committee.)

[MR. CALDWELL (Lanarkshire, Mid.) in the Chair.]

Clause 1:

MR. BOWLES said the clause enabled the Public Trustee to open accounts in the name and in the interest of persons for whom he was appointed to act as trustee, but he was not to be subject to the regulations which governed the ordinary depositor in this bank. It was really important that the Committee should understand what they were doing in authorising the Public Trustee to make investments without being subject to the ordinary regulations. It appeared to him that a special exemption of this sort could hardly properly be made. He found that at 31st December, 1907, taking the securities of the Post Office Savings Bank at that date, and making no allowance for depreciation, there was an absolute deficiency of no less than £15,000,000. It was proposed to empower the Public Trustee to invest the moneys committed to his charge in a bank which, judged by any ordinary bank standard, was utterly insolvent. The only effect would be that the national indebtedness would be increased. Why on earth should it be considered necessary by the Government to put a special inducement in the way of the Public Trustee to invest cash in this particular savings bank, unless it was that the enormous deposits of the people all over the country might be used by successive Governments of the day? That would have the effect of increasing the national indebtedness at the rate of £2,000,000 or £3,000,000 a year. That was a very doubtful thing to do in the interest of the general taxpayers, or in the interest of the mainly misguided people who had been led by the House, and might be further led, to put their affairs in the hands of the Public Trustee. He thought the Committee should have some explanation of the clause.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I think the hon. Gentleman is unduly alarmed on this subject, because the proceedings under this Bill will have behind them the whole credit of the nation. Therefore, the hon. Gentleman may rest assured that the depositor to whom he has alluded is perfectly secure. As regards the estates, I do not think the comparatively small amounts that will come under the cognisance or control of the Public Trustee in connection with the provisions of this Bill will add appreciably to the responsibilities of the State. The Public Trustee will only be able to deal under this Bill with quite small estates. It was clearly understood when the original Act was passed creating this Public Trustee that he should not remove estates from the banks which were the ordinary banks of the estates, but should treat the banks in accordance with the ordinary customs of the banking system of this country as private trustees would do. One of the classes of estate dealt with under the Bill is the very small estate which has no banking account and in regard to which, therefore, there is no reason why the deposit should not be made in the Post Office Savings Bank. The Public Trustee, I may point out, is absolutely limited in regard to all these transactions, because, while he is able to open a series of separate accounts for the estates that come under his control, in the case of no estate can he go beyond £200 as a whole—which is the limit for other depositors—nor can he deposit more than £50 in one year, which again is the present limit for ordinary deposits in the Post Office Savings Bank. Therefore, I can assure the hon. Gentleman that his fears are without a scrap of foundation.

Clause agreed to.

Bill reported, without Amendment; and read the third time, and passed.

POST OFFICE CONSOLIDATION BILL. [LORDS.]

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HENNIKER HEATON moved "That the Bill be read a second time upon this day three months." He did not wish at that late period of the session to oppose legislation which the House of Commons really desired to pass, but he would remind the House that this Bill had been before Parliament for no fewer than eleven years. Mr. Thomas Gibson Bowles said when it was originally brought forward that it was a very badly-drawn Bill and one that was very difficult to understand. The same objection applied to some previous Post Office Acts. It was said with regard to a clause in one of the Acts that only two gentlemen in the Post Office understood it, and these two gentlemen disagreed as to its contents. There was one other reason why he wished to oppose this Bill. Their able Postmaster-General, who wished to do so much to improve the postal laws of this country, had written a number of letters to him in which, among other things, he expressed regret that the Post Office Consolidation Bill now before the House prevented him carrying out reforms which were of great moment. He had pressed those reforms on the right hon. Gentleman, and it was because various grievances were not redressed that he moved the rejection of the Bill.

MR. BOWLES thought the House would feel that it would be a great misfortune if the Motion of the hon. Member, who was, at any rate, admitted in all parts of the House to be an authority on postal matters, were allowed to fall to the ground for want of a seconder. Although, for his own part, he did not profess to have any detailed knowledge of the Bill, he was glad to be able to second the Motion, and on two grounds. In the first place this was a consolidation Bill, and his belief was that all Bills of that kind were innately mischievous. They were always represented to the House as Bills which ought not to be opposed, because their only effect was to consolidate the whole of the existing enactments, and he should not be in the least surprised if the Postmaster-General got up in the course of a few minutes to explain that this Bill ought not to be opposed for precisely that reason. He made bold to say that this Bill, like all Consolidation Bills, was not by any means merely a Bill to consolidate the existing laws, but it did effect in important particulars radical alterations in the law as it stood. Those alterations were to be found, as hon. Members would admit, if they looked at the complicated nature of the Bill, under circumstances which made it almost impossible for any body save great experts to detect them. It had never been denied, however, during the years for which the Bill had been before the House, that the alterations which were made in the law were of a radical character, and the House ought not to pass the measure simply because it was a Consolidation Bill. His second objection was this: As was frankly said in the Memorandum on the face of the Bill, this was a Bill which had been before the House for many years. It was first introduced in the House of Lords in the session of 1896, and therefore it was twelve years ago since the proposals to which they were now asked to assent were drafted. He understood that year after year, in almost unbroken succession, the Bill had been brought before the House, and every year the House in its wisdom had seen fit, if not to reject it, to refuse to proceed with it unless more time was devoted to its discussion than the Government of the day could afford to spare. He should be very much astonished if the right hon. Gentleman would assert that the business of his great Department carried on as it was under the existing Statutes had in any way suffered, or could in any way suffer, through the failure of this ancient and moss-grown measure to become law. For his part, he disliked all Consolidation Bills, but he particularly disliked this one, and under those circumstances he had the greatest pleasure in supporting the Motion of his hon. friend the Member for Canterbury, in order that the Postmaster-General might inform them what was the real object of the Bill, what were the changes it would effect, and whether it was essential that it should be passed into law.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Henniker Heaton.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. SYDNEY BUXTON: The hon. Member for Norwood was quite right in his supposition as to the line I should take on this Motion. The argument which I shall venture to use is the argument which he anticipated, namely, that this is a Consolidation Bill, and that it makes no changes in the law. I can refer him to the Report of the powerful Committee, which contained not only representatives from the Opposition side of this House, but also noble Lords sitting on the Opposition side in another Place, which went very carefully into the whole question of consolidating the laws relating to the Post Office.

That Committee came to the conclusion that the Post Office Consolidation Bill should be allowed to proceed, and they amended it in accordance with the views they formed during the inquiry. The hon. Member for Norwood has asked me what is the object of this Consolidation Bill, but I must point out to him that the time is too late to go into the subject at length. I will simply answer that it is a very great public convenience to anyone who has to deal with Acts of Parliament of this description to have all those Acts brought together in one comprehensive short Act, instead of having to go and look up a whole number of what are termed musty Acts. With regard to my hon. friend the Member for Canterbury, who has, I freely admit, taken a very active interest in postal affairs, though, perhaps, occasionally with a little exaggeration of activity, I understand his objection to be that this Consolidation Bill does not include other Amendments in the postal law which he would desire, and some of which I also desire. That, however, is not a point which should affect the progress of this Bill. The matters which he desires to see dealt with are matters for consideration on their merits. From time to time I have passed Acts of Parliament dealing with questions in which my hon. friend has expressed great interest, and I hope to have the opportunity of passing others. But I submit that this is not the moment at which those questions can be raised, and, therefore, I hope my hon. friend will not insist on this Motion, because I can assure him that, from the administrative point of view, great advantages will accrue if this Bill is passed.

Amendment negatived.

Main Question put, and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for to-morrow.—(*Mr. J. A. Pease.*)

COMPANIES CONSOLIDATION BILL [LORDS.]

Considered in Committee.

(In the Committee.)

Clause 1:

MR. JOYNSON-HICKS moved the omission of Clause 1, as a protest against taking a Bill of this complexity at the fag-end of a long session. He had no wish to inconvenience the right hon. Gentleman the President of the Board of Trade, who was in charge of the Bill, but he submitted that after the length of time they had been kept in that House during the autumn session, and the time which had been wasted in discussing Bills acceptable to nobody, they ought not to be asked to deal with a matter of this importance in so hurried a manner. Most of this Bill was entirely admirable, but in it there were certain points which undoubtedly required careful discussion. To put the Bill down at 12.30 at night at the end of a long session was not treating the House fairly. There had been ample opportunity in the course of the session of putting the Bill before them; at any rate there might have been those opportunities if the Government had not wasted their time, if they had not brought in compromises which were not compromises. He did not want to obstruct the Bill. He did not want to move the omission of 296 clauses one after the other as he would be perfectly entitled to do, but he did suggest to the right hon. Gentleman in charge of the Bill that as there was not very much before the House on Wednesday he should take it during the evening sitting of that day, so that they might discuss it not at any great length perhaps, but at any rate, in a manner which would ensure that the important provisions of the measure would not escape the attention of Members of the House.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): The hon. Member who has just spoken is not unconcerned with the great and stately fabric of the law, and I should have thought he would have desired to interpose no unnecessary opposition to a measure which, I venture to say, is entirely uncontroversial in the most extended interpretation of the term, and which can only have this result: the simplification, co-ordination, and consolidation of a very complicated branch of our jurisprudence. The hon.

Gentleman knows that the Committee which has been engaged most laboriously for many days in consolidating the various Acts dealing with Company Law have had only one object before them, namely, to reproduce the existing law in a compendious and convenient form. No other object whatever has been pursued by that Committee during their investigations. It is not possible to imagine a Committee which would command more weight and more authority in all quarters of the House. The Lord Chancellor, the ex-Lord Chancellor, the hon. and learned Member for the Kingston division, Lord Balfour of Burleigh, Lord James of Hereford—all men most eminent in that sphere of the law—and members of every party have laboured together simply to reproduce the existing law in a compendious Act. It is quite true that it is an enormous Bill when printed, but in effect it is nothing but a convenient reproduction of existing statutes, and that being so, I am quite sure the hon. Gentleman will not wish at this hour of the night to make party points against the Government upon what is uncontroversial business, but will assist us in crowning our labours with as great a fruition of success as is possible under the circumstances.

MR. CAVE said he sympathised with his hon. friend, but at the same time he hoped his hon. friend would not persist in his Amendment. He (Mr. Cave) was a member of the Joint Committee to which this Bill and also the Post Office Consolidation Bill were referred, and he could assure hon. Members that they took scrupulous care simply to reproduce the Acts as they now existed and to make the Bill not in any sense an amending Bill but purely a Consolidation Bill. Whether they had succeeded or not it was not for him to say, but he knew they tried and were assisted by very able representatives from the Departments. He did not think his hon. friend would find in the Bill any real change in the law, and it would be of great assistance to everyone to get all the statutes in one Act. The only Amendments proposed in the Bill were in respect of former alterations made in the wording of earlier Acts for the purpose of making this Bill one consistent whole. He was not concerned with the Amendments which were put on the Paper since the Committee sat, but he had read them very carefully in conjunction with the Bill, and they seemed to be entirely necessitated by the fact that six months had elapsed since the Committee sat. He hoped therefore the Amendment would not be persisted in.

MR. BOWLES said he did not want to delay the Committee, but he really felt that the House was put in a difficulty in regard to this measure of consolidation. There could be no doubt as to the abilities and impartiality of the Committee who laboured long to consolidate in one whole the great mass of law which affected companies. Although the Committee had done its best, and no one could doubt for a moment it was a good Bill, still it was impossible to say whether or not there were any changes in the law of a vital character, and the position in which they found themselves by the procedure on all Consolidation Bills was that, although a mistake or a slip in it might be of the greatest consequence, the Bill was in effect withdrawn from the consideration of the House of Commons and was handed over lock, stock, and barrel to a Committee upstairs. This was a matter for the House, and for his part he could not really regard as satisfactory procedure of this kind. He believed that with the greatest ability in the world they could not consolidate great masses of intricate statutes on a subject of this nature without in effect altering the law in one or more particulars. If that be so, it followed quite clearly that this was a procedure which really did inflict a serious injury upon the control of the House of Commons over legislation, and for his part, although he did not know whether his hon. friend would persist in his Motion, and he did not know that he (Mr. Bowles) desired it, he nevertheless felt bound to protest against the assumption that all Consolidation Bills, because they were called Consolidation Bills, were to be removed automatically from the real consideration of the House of Commons. It was because that was the course which had been followed to-night he should feel bound to support his hon. friend if he went to a division.

MR. STUART WORTLEY said the hon. Member for North-West Manchester no doubt was regarded on the Treasury Bench as an awful example of Parliamentary perversity, but they knew that although Ministers came down and pretended to know all about a Bill of this kind, all the work had been done by distinguished Peers and Members of this House. The Government had not sacrificed any trouble or even put at risk any of its own time, and had brought forward the Bill at a time when a mere handful of Members could destroy it. Yet they knew that this piece of legislation would be trumpeted forth on platforms in the country as due entirely to the labours, profound knowledge, and technical skill of the denizens of the Treasury Bench.

MR. THEODORE TAYLOR (Lancashire, Radcliffe) said that they did not trumpet forth this kind of thing, and if they tried to do so the country would not give them credit for a great Consolidation Bill. It did not count for anything. It was simply a good piece of right down solid work which he wanted to thank the Committee for producing.

MR. JOYNSON-HICKS said he had not the slightest hostility to the Bill. This was a part of the law in which he personally took great interest, and had done so for years past. He was quite convinced that the passing of the Bill would be exceedingly advantageous to lawyers and the public generally. He made his protest against the mode in which this legislation was conducted. Having made that protest he was perfectly prepared to withdraw the Amendment, only he ventured to suggest to the Treasury Bench that they should not take any more Bills after this one to-night.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden) said he generally endeavoured to meet the views of the Opposition as far as possible in connection with the work to be got through at this period of the session. The Government had a large number of Orders on the Paper, and they had only a few days to get through the work. They had endeavoured not to take many of these Bills before owing to the representations of the Opposition that they did not wish the eleven o'clock rule suspended. Now that the eleven o'clock rule had been suspended, really with a view of passing these Bills in the remaining nights of the session, he approached the Opposition each day, and arranged with them so far as possible the Orders which they thought might reasonably be got through. The Orders they had arranged to-night were the Companies Bill, the Criminal Appeal Bill, and the Second Reading of the Irish Constabulary Bill, and perhaps the House would like to take the Lords' Amendments to the Local Authorities (Admission of the Press) Bill, a private Member's Bill, in which case the Government certainly would not interfere. But he asked that the arrangement which had been entered into to proceed with the three Government Bills he had named would be adhered to.

MR. FORSTER (Kent, Sevenoaks) said he was sure the Opposition desired to meet the hon. Gentleman so far as it was possible to do so. The hon. Gentleman always approached them in a spirit of perfectly good temper, and always adhered to any arrangement made in perfectly good faith. But he thought the hon. Gentleman in the observations he had just addressed to the Committee made one little slip, which he was sure he need only point out for it to be acknowledged. The Opposition had never suggested that arrangements might be made to suit their convenience in order that the eleven o'clock rule might not be suspended. They were not very great admirers of a rule under which the proceedings were adjourned at eleven o'clock. He did not think they had, so far as he knew, put it forward that they would meet the requirements of the Government in order to go to bed at the early hour of eleven o'clock; but he was bound to say that his right hon. friend the Member for West Somersetshire told him that he had agreed with the Government that he, at any rate, would offer no opposition to the taking of the Orders which the hon. Gentleman had just mentioned, and he (Mr. Forster) was quite sure his hon. friends would adhere to the arrangement.

Clauses 1 to 93 agreed to.

Clause 94:

Mr. CHURCHILL: I move the omission of this clause. The reason is quite simple. When the Bill was drawn it was hoped that it would come into operation on 1st July, 1908, and this clause declares that certain statements should be sent to the Registrar of joint stock companies within three months of the passing of the Act. The omission of the clause will enable the legislation to be brought entirely up-to-date.

Mr. BOWLES said this seemed exactly to be a point which bore out his contention that mistakes would be certain to occur in a Bill of this kind. Here was a clause which set out what was the ordinary law at this moment, making it the duty of a company within three months after a certain date to send a statement to a registrar. That date was passed, and, therefore, it clearly ought to be amended. But suppose the clause was cut clean out as the right hon. Gentleman suggested, would that make no alteration in the law?

Mr. CHURCHILL: None whatever.

Mr. BOWLES asked in that case whether they were to understand that the law as it stood when this Bill was drafted, did not include the provisions of this clause.

Mr. CHERRY: This clause was in the Act of 1907. The Act of 1907 provided that certain things should be done before 1st July, 1908. The Act of 1907 is now spent, but at the time this Bill was introduced the Act of 1907 was not spent, and it was anticipated that this Bill would be passed before it was spent. The time within which these things had to be done has now passed, and, therefore, the clause has become superfluous, and this condition is no longer required. It makes no difference in the Bill.

Question, "That Clause 94 be added to the Bill," put, and negatived.

Clause 95:

Amendment proposed—

"In page 57, line 13, to leave out subsection (2)."—(*Mr. Churchill.*)

Question put, and agreed to.

Question, "That the clause, as amended, stand part of the Bill," put, and agreed to.

Clauses 96 to 101 agreed to.

Clause 102:

Amendment proposed—

"In page 59, line 17, after the word 'and,' to insert the words 'the register of mortgages shall also be open to the inspection.'"—(*Mr. Churchill.*)

Question put, and agreed to.

Clause, as amended, agreed to.

Clauses 103 to 203 agreed to.

Clause 204:

Amendments proposed—

"In page 105, line 29, after the word 'sections,' to insert the words 'one hundred and forty-seven.'"—(*Mr. Churchill.*)

"In page 105, lines 30 and 31, to leave out the words 'one hundred and fifty.'"—(*Mr. Churchill.*)

"In page 105, line 31, after the word '(10),' to insert the words 'one hundred and fifty-two.'"—(*Mr. Churchill.*)

"In page 105, line 35, to leave out from the word 'sixty-two,' to the word 'but,' in line 37, and to insert the words 'one hundred and seventy-three, and one hundred and seventy-five.'"—(*Mr. Churchill.*)

Mr. BOWLES asked what was the meaning of these Amendments.

Mr. CHURCHILL: Some alteration has taken place in the number of the clauses, and this is merely to ensure numerical accuracy.

Amendments agreed to.

Clause, as amended, agreed to.

Clauses 205 to 274 agreed to.

Clause 275:

Amendment proposed—

> "In page 144, line 4, to leave out from the word 'which,' to the word 'establishes,' in line 6."—(*Mr. Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CAVE said he would like an explanation of this Amendment.

MR. CHERRY: This clause requires certain things to be done by foreign companies within three months of 1st July, 1908, and the Amendment is necessary because that period has expired.

MR. CAVE said the clause required that every foreign company which had a place of business in Great Britain should do certain things, but as amended, it would only apply to companies established after the passing of that Act. The effect of the Amendment was to exempt firms setting up in this country, before 1st April, 1909.

MR. CHERRY: If my hon. and learned friend refers to the clause he will see that it makes no alteration in the law, except to eliminate the period which has been spent. If he considers the three Amendments he will see that every company incorporated outside the United Kingdom must do certain things within one month of setting up a place of business in this country. The words which it is proposed to omit, deal only with special legislation.

MR. COURTHOPE (Sussex, Rye) said there would be a period of nine months, from 1st July to 1st April, when the Act came into force. Surely that required explanation. This clause would be inoperative if businesses were established during those nine months.

MR. CHERRY: Whatever had to be done under the old Act has been done in three months from 1st July, and that period has now expired.

MR. BOWLES said he was not a lawyer, but he felt that the Amendment made a difference. The clause said before it was amended that companies incorporated outside the United Kingdom, which on a certain date had a place of business in the United Kingdom must do certain things. By the Amendment they would be confining the clause to companies incorporated in the United Kingdom, whether or not on the 1st July they had a place of business in the United Kingdom. There might be no alteration in fact, but there was an alteration in the category of the companies to which the particular provision referred. As the clause stood unamended the category consisted of companies outside the United Kingdom which had a place of business in the United Kingdom. But as the clause stood it would apply to companies whether they had a place of business in the United Kingdom or not.

MR. CHERRY: The hon. Member says that the clause unamended affects companies which do not appear in the clause amended. That is correct in one respect, the clause as unamended imposes certain things which have to be performed in a certain time. All these obligations have been performed, and therefore legislation is no longer necessary. It was necessary for these companies to deposit a copy of their charter, but the time for that has now gone. If they have not done so they can now be proceeded against. The repeal of the statute does not affect the validity of anything in it with regard to the part to which it applies.

MR. RAWLINSON said the point which required clearing up was whether if in the next week a company was established it would be absolutely free from the provisions of that Bill which could not come into force for six or seven months. Would not that company also be free from the provisions of any Bill?

MR. CHERRY: That is another point. This clause as it stands imposes an obligation on companies which are established after it comes into force. A company established next week would come under the Act immediately the Act came into force. Before this Act comes into operation companies are under the existing Act, there is no interregnum.

Amendment agreed to.

Amendments proposed—

"In page 144, line 7, to leave out from the second word 'within,' to the word 'one,' in line 8."—(*Mr. Churchill.*)

"In page 144, line 9, to leave out the words 'as the case may be.'"—(*Mr. Churchill.*)

Agreed to.

Clause, as amended, agreed to.

Clauses 276 to 295 agreed to.

Clause 296:

Amendment proposed—

"In page 153, line 13, to leave out the word 'January,' and to insert the word 'April.'"—(*Mr. Churchill.*)

Agreed to.

Clause, as amended, agreed to.

Mr. CHURCHILL moved to insert, after Clause 275, an additional clause to provide that a company incorporated in a British Possession, which had filed with the registrar of companies the documents and particulars specified in the foregoing section of the Bill, should have the same power to hold lands in the United Kingdom as if it were a company incorporated under the present Act. The right hon. Gentleman explained that there was an Act already on the Statute-book giving a company incorporated in a British Possession the same power to own land in the United Kingdom as if it were a company incorporated in the United Kingdom. This was a Bill to facilitate colonial companies holding lands in this country, and it was desirable to incorporate this statute in this consolidation Bill, and thus make the consolidation as complete as possible.

Amendment proposed—

"In page 144, after Clause 275, to insert the following clause: 'A company incorporated in a British Possession which has filed with the registrar of companies the documents and particulars specified in paragraphs (*a*), (*b*), and (*c*) of subsection (1) of the last foregoing section shall have the same power to hold lands in the United Kingdom as if it were a company incorporated under this Act.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 1:

Amendments proposed—

"In page 169, line 24, after the word 'sections,' to insert the words 'one hundred and twelve and.'"

"In page 169, lines 24 and 25, to leave out the words 'and one hundred and fourteen.'"—(*Mr. Churchill.*)

Amendments agreed to.

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Schedule 3:

Amendments proposed—

"In page 179, line 23, after the word 'Companies,' to insert the word '(Consolidation).'"

"In page 180, line 3, after the word 'sections,' to insert the words 'one hundred and twelve and.'"

"In page 180, line 3, to leave out the words 'and one hundred and fourteen.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 3, as amended, agreed to.

Schedule 4 agreed to.

Schedule 5:

Amendment proposed—

"In page 187, to leave out line 15."—(*Mr. Churchill.*)

Agreed to.

Schedule 5, as amended, agreed to.

Schedule 6:

Amendment proposed—

"In page 189, line 15, at end, to insert the words '8 Edw. VII., c. 12—The Companies Act, 1908—The whole Act.'"—(*Mr. Churchill.*)

Agreed to.

Schedule 6, as amended, agreed to.

Bill reported; as amended, to be considered To-morrow.

CRIMINAL APPEAL (AMENDMENT) BILL. [LORDS.]

Not amended (in the Standing Committee) considered.

Amendment proposed—

"In page 1, line 12, at end, to add the words '(2) The power to provide additional staff for the Registrar of the Court of Criminal Appeal includes a power to appoint an assistant registrar, but any assistant registrar so appointed shall be either a Master of the Supreme Court acting in the King's Bench Division, or a practising barrister of not less than seven years standing, and shall be appointed by the Lord Chief Justice of England.' "—(*The Attorney General.*)

Agreed to.

Motion made, and Question proposed, "That the Bill be now read a third time."

MR. RAWLINSON, in supporting the Third Reading, said he did that all the more heartily because the Amendment agreed with an Amendment of his own to the Bill of last year. He hoped to take an opportunity on a future occasion strongly to press the needs of further judicial help in the King's Bench Division. That this step was becoming more and more necessary was seen in the facts that already they had to have the very wise Amendment just agreed to and that the Judges of the King's Bench Division were now available for the Court of Criminal Appeal. He proposed to press on a future occasion for further help in the King's Bench Division; at all events for an extra Judge.

Bill read the third time and passed.

CONSTABULARY (IRELAND) BILL.

Order for Second Reading read.

*THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.), moving the Second Reading said: This is a short Bill but it is one which is long overdue and which I feel it an obligation to press upon the favourable consideration of the House. It relates to the pay and the pensions of the Royal Irish Constabulary. The present rate of pay of the body are those which are to be found in an Act of 1883, but in the year 1901 a Commission was appointed by the Irish Government, presided over by a former hon. Member of this House—much respected by all who knew him—the late Sir Howard Vincent. That Commission reported that the emoluments of the men were in some respects insufficient and they made certain recommendations, some of which related to rates of pay and allowances and others to other matters. The Report received the most careful consideration of the Irish Government and was carried into effect in the year 1903 so far as effect could be given to it without Parliamentary assistance. That part of the Commission's recommendations were given effect to, but I am sorry to say that from the year 1903 to the present owing to pressure of business in the House of Commons, both Governments concerned have found no favourable opportunity of introducing a Bill before Parliament giving effect to the remainder of the recommendations of Sir Howard Vincent's Commission. This Bill, with the Schedule, gives effect to Sir Howard Vincent's recommendations in most particulars. In some respects it is a little more favourable to the police than were those proposals. For example, we propose to give a shilling a week more for the eighth and ninth year's service; a shilling a week more for the twenty-fifth year's service; a shilling a week more for acting sergeants as compared with the Vincent recommendations. In other respects the Vincent recommendations are practically carried out, and will be found embodied in the schedule of the Bill. It is also proposed by this Bill to make what is an important change, and that is to raise the pensionable age of future entrants in the force to fifty years. At present the men are entitled to pension after twenty-five years service, and entering the force as they do young men, some of them retire somewhat too early, and whilst they have still many years of active service within them, so to speak. It is now proposed by this Bill to offer inducements to present members of the force to remain in active service after they have served their full period of twenty-five years, and this will make the superannuation period more in common with that of Great Britain, and will ultimately result in a substantial decrease in the charges of the Royal Irish Constabulary as a whole, by reductions of course, in the non-effective force. The cost upon the Imperial Exchequer of these proposals is about £15,000 a year, calculating the strength of the force as it existed early in the year 1908. Of course the additional cost will fluctuate with the increase or decrease in the strength of the Royal Irish Constabulary. But I think the Treasury may hope that these proposals to increase the length of time which the men may serve in this important body will have the effect in time of decreasing the cost of the service. There are other provisions in the Bill which I think the House will not find of a controversial character at all. Clause 3 proposes to make an increase of widows' pensions, and Clause 4 to make an alteration in the law with regard to the payment of pensions which at present are only payable to constables when the Inspector-General is satisfied that the constable has served with diligence and fidelity. If he expresses his full satisfaction the constable gets his full pension, but if not so satisfied he gets nothing. There are many cases where a constable ought not to receive the full pension, but where it would be a hardship to deprive him of all pension rights. Clause 4 is intended to allow a middle course to be taken, and empowers the inspector-general to grant a reduced pension in cases of minor misconduct and neglect of duty. Then there is a clause referring particularly to the rate of pensions payable to assistant-inspectors-general. That is a very small matter indeed, but I think on explanation it will be found to be a matter of justice. Clause 6 deals with the mode of calculating pensions, and Clause 7 gives a definition. I think, therefore, that the House may safely give this measure, which, of course, has received full Treasury sanction and has been preceded by a financial Resolution, full support. The services rendered by the police need not now be taken into consideration. All will agree that they are entitled to proper treatment and to proper pensions. They have been kept waiting a long series of years since the Vincent Commission reported in their favour. This Bill gives them what the Vincent Commission recommended with small additions. Perhaps some of the force may consider them to be insufficient additions, but at all events they are better than nothing, and they do add a burden which the Treasury will be willing to sustain of some £15,000 a year. I think, in these circumstances, that all will be agreed, almost irrespective of party, that this body of men deserves the consideration which this Bill, after only too long a lapse of years, purports to afford them. I move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. MOONEY very much regretted that the right hon. Gentleman had found it necessary to bring forward a Bill of this kind at this period of the session. The right hon. Gentleman was well aware, from information given publicly in the House, that this Bill was not one which the Irish Party as a party could allow, in any shape or form, to go through as a non-controversial measure. He did not think he had ever heard a Bill galloped through in the manner in which the Chief Secretary had galloped through his explanation of this Bill. He wanted to explain that the opposition to the Bill was not based on the fact that pensions were to be provided for certain classes of the community or that pensions were going to be given to certain men. They took the stand upon the point that at the present day the Royal Irish Constabulary was costing something like £1,375,000 a year, and that if the sum was properly spent there would be absolutely no necessity for a Bill of this kind. He and his friends contended that if the Irish Government were to reduce the ornamental part of the Royal Irish Constabulary they could get not £15,000, but nearer £50,000, seeing that the ornamental parts of the force at present cost over £100,000 a year. Let them take the case of County Tipperary, which had a force of 450 men. To administer those 450 men they had three county inspectors, who divided between them salaries equalling £1,200, they had inspectors in the first class who took £2,100, and they had eight district inspectors in the second class who cost £2,500. Including the head constable, who would take £3,000, the cost of commanding 450 men amounted, roughly speaking, to £8,000, or about £20 per man. He had made inquiries as to the cost of commanding the police in London and Birmingham, who, he thought, the Chief Secretary would admit were as ornamental as the Royal Irish Constabulary, while they were probably more efficient. The cost of the ornamental part of the force in London worked out at only £6 per man, and the House would agree that this was a very striking difference from the figures of the Royal Irish Constabulary. The whole system was so grotesque and absurd that if the right hon. Gentleman would only go to the trouble of looking into it himself he would see that he could save money right and left. In the county of Clare, to take another instance, there were 367 men, and to command that number they had to employ a chief inspector at £630 a year. In the county of Carlow exactly the same amount was required to control 83 men as was necessary in the county of Clare for 367 men. Instead of dividing the country up into suitable areas and allowing officers *pro rata* to the number of men, they adopted absurd geographical limitations, with the result that the expenditure was enormously magnified. No matter how many police were required for a county, to preserve the dignity of the force it was thought necessary to appoint a chief inspector and pay him £600 a year. That was not all. He was allowed all kinds of "extras," with the result that he was paid far better than a good many colonels in the Army, while he was always a far more important person than a colonel. He started by way of being a district inspector. He was given very definite instructions as to how he was to stand at the Castle levee, and to conduct himself at the Castle ball, but he was not given the slightest instruction as to how he was to perform his ordinary police duties. He had strict injunctions to go to tennis parties and to cultivate the gentlemen of the neighbourhood. But if he happened to come to a place in his own district and saw disorder occurring in regard to which one would expect him to interfere, he took no steps save to write a report to the inspector above him, complaining that the sergeant in charge of the district was not doing his duty. Although the disorder might have occurred under his very nose he was much too high and mighty a person to interfere, but would not hesitate to accuse a subordinate of neglect for the self-same matter. They had to pay each one of these officers £50 a year for a horse and £45 a year as allowance for a groom. When the officer retired the funny part of it was the groom got nothing at all, but the officer was compensated on the £45. Further than that, if this officer went six miles beyond his station he was entitled to a riding allowance of 9d. a mile, though one would think that he would be able to use the same horse for which he received the allowance of £50 a year. The result was that when a new county station was going to be established, instead of placing it in the middle of the county so as to make access to it easy, it was put at the extreme end of the county, so that this officer was bound to go more than six miles beyond his station in order to get to it. The result was that these men were always keenly anxious to get into a bigger county, knowing that with all the allowances made to them they would be able almost to double their regular salaries. When the right hon. Gentleman said he had founded the Bill on the Report of the Committee presided over by the late Sir Howard Vincent, he (Mr. Mooney) was surprised. Let the House look at the clause which dealt with the question of the pension to the widow of a constable. If the Committee reported definitely on any subject it was this, and they said emphatically that the pension should not be increased.

*MR. BIRRELL: I said the payments in the Schedule were based for the most part on the Howard Vincent Committee's Report.

MR. MOONEY continuing said he could not understand why the right hon. Gentleman was so anxious to bring forward the Bill, which he must have seen would be opposed by the Irish Nationalist Party

He understood that certain Irish Members above the gangway were also opposed to the Bill, though not for the same reason; but the fact remained that they had two bodies of opinion in Ireland opposing the measure. The constables themselves were opposing the Bill. The men had an official organ, and he read in it a passage referring to blocking Motions being put down in connection with the Bill, in regard to which the following comment was made—

> "We regard this as an official, organised opposition and not the individual action of a Member of Parliament. If Members acted otherwise they would be failing in their duty to their constituents and their country."

The paper went on to discuss the financial benefits that would accrue to the men, and having done so, they said—

> "If this Bill becomes an Act of Parliament his (that was, the constable's) doom was sealed for a generation. No amount of agitation, inside or outside, will prevail on an overworked Parliament to reconsider his claim."

That did not look as if there was a very strong desire on the part of the Royal Irish Constabulary for this Bill. He wanted to put before the House one other point. The constable, after the passing of the Act, was to be benefited in a certain way. Then he was to be benefited again in regard to pension—always after the passing of the Act. He came across a clause which the right hon. Gentleman said was very immaterial, dealing with one individual in the force, and that clause struck him as very typical of those sometimes introduced in Bills dealing with Irish Government Departments. The clause was to apply not to anyone retiring after the passing of the Act, but was to come into operation in connection with any official described in it who might have retired since January, 1908, or who retired at any time after the passing of the Act. It struck him at once that this clause was put in the Bill for the protection of some gentlemen who wanted to do a job. He proceeded to make a search, but he could not find any trace of an official who had rendered great service to the country. But he found that in last year's Estimates there was one inspector-general, three assistant-inspector-generals and three deputies, whereas in this year's Estimates one of the assistant-inspector-generals appeared to have dropped out. This was not the case of a man who had a salary of about 24s. a week, but a gentleman with a very large salary, and the Government went out of their way to give him a retrospective clause all to himself in a Parliamentary Bill. The other point he wanted to make to the right hon. Gentleman was one which he put at the beginning of his speech, and which he wished to refer to again for a specific purpose. He could well understand the necessity for what might be called the ornamental branch of the Royal Irish Constabulary if it ever did any work. He could understand the necessity of paying these officers high wages if they had to turn out late at night with large bodies of men and perform work which was done in England by superintendents or assistant-superintendents. But what did the Chief Secretary want this ornamental staff for? He would take one case only. It happened in Ireland a very short time ago, and was a very regrettable case, in which a young man lost his life. The facts were not in dispute. The police having got notice that there was to be a cattle-drive at a certain place on a certain night, a force of twelve police turned up with rifles, and they found a body of more than a hundred men endeavouring to drive cattle. As he understood, the policeman in a case of that sort had two courses open to him. Either he could overpower the people who were about to break the law, or he could retire to a position where he could observe who was about to break the law and then take necessary steps to bring the people to justice. In this case one would have thought that, having information of an intended breach of the law of such a serious nature, at least a person of some position in the force would have been sent to have control of the police. But what happened? This body of twelve police, armed with rifles, was put in charge of a man who went by the glorified name of a head constable, and was paid £2 a week—wages which, in England might very well be earned by a clerk. While the highly-paid officers were in bed, this man earning only £2 a week was put in charge of twelve constables armed with rifles and with power over the lives of people who were engaged in breaking the law. It was simply a scandal and a disgrace, and would not be tolerated in England for a moment. Would it be said that in England a sergeant of police, which was practically the rank of this head constable in Ireland, would be allowed to take charge of twelve men armed with rifles and with power at his own discretion to fire on people who were committing a breach of the law which, in ordinary circumstances could only be punished by imprisonment for one month or two months? No authority in England could hold up its head if it defended such conduct as that, and he wanted to know why, if they were to pay a large sum of money for the ornamental staff of the Royal Irish Constabulary, that staff should not be used. He must say there was no justification whatever for the Government's treatment of these overpaid officials. This House had recently been discussing an eight hours Bill. If the men he was speaking of did a day's work in eight weeks it was about as much as they ever did. Their sole occupation was to get the work done by men under them, and they drew the pay. If they were to enter into a discussion of the Constabulary in Ireland as at present managed, and as to how the money was misspent, he should detain the House a good deal longer than he otherwise would, but he had no intention of going fully into the question at that hour. When the Bill reached the Committee stage they would probably have a good deal more to say to the right hon. Gentleman. In conclusion, he would say that this Bill was not wanted in its present shape, and that if the right hon. Gentleman really wanted to benefit the Royal Irish Constabulary—and by that he meant the men—and desired to have an efficient force he could do it, and at the same time cut down the enormous expenditure. More was spent in Ireland on police than on education, although Ireland had less crime than either England or Scotland. He was sorry to say that day after day attempts were made by hon. Members representing Irish constituencies to make this House, and through the House, the country, believe that Ireland was in a state of great disorder, where crime was of daily occurrence, and where the police took their lives in their hands. He would like to contradict that statement by calling attention to a passage on page 24 of the Report of the Committee presided over by the late Sir Howard Vincent. In the passage referred to it was stated that some of the witnesses asserted that the duties of the Irish Constabulary were more dangerous than those of the police in England, but although the Committee were not in possession of statistics showing the number of retirements of policemen in England through injury in the execution of their duty, it would appear that the proportion in England was much higher than in Ireland. Instead of increasing the enormous cost of the police force in Ireland—and it was all very well to talk about it coming out of the Imperial Exchequer, when Ireland had to pay to that Exchequer a great deal more than they ever got out of it—he would say to the right hon. Gentleman that his proper course to pursue was not to bring in a Bill like this, but to have a full and searching inquiry into the way the money voted by this House was spent by the Royal Irish Constabulary. The right hon. Gentleman would then find that instead of having to come to Parliament for more money he would be able to work the Force more successfully with much less money. If the right hon. Gentleman promised such an inquiry he hoped the Committee would be appointed to meet within a reasonable time, and that it would not be a repetition of the Committee which he promised in connection with the cost and control of the Dublin Metropolitan Police, but which had never been appointed. If the right hon. Gentleman would appoint a Committee to inquire into this question he would probably get far more thanks from the men, and certainly from the taxpayer, because he would be able to cut down the Estimates, and he might be able to do away with that very costly and very inefficient body which was now known as the ornamental branch of the Royal Irish Constabulary. He moved.

Mr. KETTLE said he did not desire to keep any Member of that House, and least of all himself, up any longer at that ungodly hour, but the right hon. Gentleman the Chief Secretary must be perfectly well aware that in approaching this question of the policing of Ireland they were approaching a question which concerned a serious defect in the administration of Ireland. His hon. friend, he thought, had made out a convincing case, and if the majority of hon. Members in the House had been awake to hear the convincing arguments, their support might, perhaps, have been counted upon. His hon. friend's first point was that, by the admission of everyone, the cost of police in Ireland at present was too great. The Government were going to add a certain amount to that cost. The Chief Secretary said £15,000, but there was absolutely no guarantee that that sum would not be exceeded. It was true the Chief Secretary told them that this Bill had the sanction of the Treasury. Well, if the right hon. Gentleman thought that was a recommendation of any sort to Nationalist Members, surely he could not have been following the debates in any detail. The other point his hon. friend made, and one which was perhaps of more importance, was that if they were going to increase the wages of the rank and file of the Royal Irish Constabulary, they ought as a set-off to economise with regard to what he very properly called the ornamental branch of the Royal Irish Constabulary—the county inspectors, the district inspectors, the sub-district inspectors, and all the others of the various higher ranks. His hon. friend pointed out that even the rank and file of the police were dissatisfied with this Bill. Their official paper had declared against it. He himself had received letters, marked "Private and confidential," from sergeants and head constables, who said that, of course, they knew Nationalist Members of Parliament could not be very friendly towards them, but at any rate they ought to be more friendly to members of the rank and file than to district inspectors, and that consequently they hoped Nationalist Members would oppose the Bill. The situation was very serious. His hon. friend quoted a great many facts with regard to the organisation of the police force. He confessed that he himself had not an expert knowledge of the police. He tried to keep as far away from them as possible, and to admire them, as he would some of the highest peaks of the Alps, from a distance. The publication of the Chief Secretary seemed to consist of extracts from the Howard Vincent Report, and it seemed to him to make out a conclusive case against the higher ranks of the service and for economy in that direction. They were speaking that night from two points of view. They were speaking first for the Irish taxpayer as against the police force in Ireland, and they were speaking for the rank and file as against the more ornamental ranks. A striking and perhaps excellent phrase had been used in the pamphlet that had been put forward on behalf of the rank and file. It was said that the Royal Irish Constabulary was divided into two classes—the ornamental and the useful. The county and district inspectors had no direct responsibility for the maintenance of odrer. Their business was to delegate their responsibility to the sergeants or head constables or to the constable in charge. He thought his hon. friend had been quite right to call them ornamental. He had just come back from a district assize where the Court was crowded with these men in braided Hussar jackets, which though extremely ornamental really cost too much. They could pay too much for the artistic. First of all they paid these men their salary, then they paid them £50 per annum for their horses. He had never seen one of these horses. He did not know whether they ever had them or not. There were sundry regulations which provided that a man should not get this allowance unless he put in six turns per year on horseback service. He had never seen the term "turn" used except in regard to music halls, and did not know what these turns were unless they had something to do with music halls. At any rate they were paying the district inspectors £50 a year for a horse and £45 for a groom to look after a horse which in the majority of cases did not exist. The total cost of that particular minor allowance was more than £23,000 a year. If the Chief Secretary had devoted himself to reorganising the police in Ireland and bringing its expenditure into something like proportion with the crime of the country, he would have been glad to help him. Why did he not economise on the officer class of the force? It was because he had not done that that they had to raise their voices against that Bill. Why did not the right hon. Gentleman take away this entirely unnecessary cost for horses which did not exist and for grooms who did not groom them because they did not exist. ? Why did not the right hon. Gentleman go a step further? The Report of the Public Accounts Committee would be discussed on the following day. As a member of that Committee he had been able to get at facts about the expenditure on the Royal Irish Constabulary, and he had been able to gather that a considerable sum was spent per annum on keeping their rifles up-to-date and supplying them with ball cartridges. Anybody who had ever been in the Royal Irish Constabulary barracks in Ireland had seen that the place was simply crammed with rifles in racks. No hon. Member who would do his duty by his constituents in Ireland could help opposing that Bill and calling for reform in regard to this expensive and artistic branch of the Service.

AN HON. MEMBER: I move that the Question be now put.

MR. KETTLE said the interruption of the hon. Member admirably illustrated the manner in which that House discussed Irish matters. It was no pleasure to them to have to sit until a quarter to two, but it was still less of a pleasure to them to pay the £15,000 a year for the maintenance of that force. If the hon. Gentleman would get his Party to bring in a Home Rule Bill they would be delighted to discuss that matter in Dublin. In the meantime, it would be better manners for the hon. Member to confine his Motion to some subsequent occasion. There were four grievances of the rank and file of the Royal Irish Constabulary which were not touched by the Bill. He owed the police nothing, not even, like some of his colleagues, a broken head. The police complained of defective barrack accommodation, and of the management of internal affairs of the force which would be in no way remedied by that Bill. They complained that the management of the canteen in their barracks was in the hands of officers who did not use it. It was said that a cricket pavilion had been built by the officers for the officers out of the profits made on the men's canteen. Surely, in view of this fact, his hon. friend had been entirely in the interest of common sense and good administration in opposing that Bill. It was surely a sound ground for objecting to it, and it was one which demanded an exhausting and complete inquiry into the needs of the force, with a view to effecting some reforms in that force. There was another point which he ought to mention before he sat down. That was that a large proportion of the ornamental staff consisted of men imported from England, men who had not even got the small saving merit of having been born in Ireland? They were extremely serious in their opposition to the Bill. They believed that the Chief Secretary ought not to have brought it forward at this period of the session. If it had waited for five or six years, could it not have waited for three months more? What was the need for a Bill of that importance, touching the most irritating subject in the whole administration of Ireland. So long as affairs such as the Riverstown affair or like the Belfast riot were possible, where citizens were shot down without any proof of necessity whatever, when telegrams were despatched by the inspector-general before he had had an inquiry into the facts, approving of the hot-headed action of the police, so long would any Bill of this character, which purported and intended to increase the police expenditure in Ireland, be bitterly opposed. He hoped that however indisposed the House might be to listen to facts of that kind it would understand that they were animated by no feeling of obstruction or of animus against the policemen. The right hon. Gentleman had done something to remove the landlord of the old type, but this Bill was going to perpetuate the policeman of the old type. For that reason they felt it their duty to oppose the Bill, and for that reason they would feel it their duty to resist it clause by clause in Committee.

Amendment proposed—

"To leave out the word 'now,' in order to insert the words 'this day three months.'"—(*Mr. Mooney.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BARRIE said he wished to bring the House back to the matter immediately before it. He had listened to both the speeches which had been presented to the House, and he wished to direct the House's attention to them briefly. They had both of those speeches presented to them on a previous occasion, when the House spent two and three-quarter hours discussing all the shortcomings of the Royal Irish Constabulary. Since that debate took place some rather interesting evidence had been given them from Ireland. He found comparatively little fault with the speech of the hon. Member for Newry, but there was a great want of graciousness in his seconder, who made an attack on the Royal Irish Constabulary, when he owed his safety, if not his life, to that force.

Mr. KETTLE said that the statement of the hon. Member was wrong. He was happy to say that on the occasion in question he was not received with hostility and never got any nearer than 15 yards of any member of the Royal Irish Constabulary. He would like to add that when he went through the Orange parts of his constituency, the parts attached to the party of the hon. Member, he had to have a police escort with him to protect him from the hon. Member's friends.

Mr. BARRIE said that on the occasion referred to the public Press reported with thankfulness the narrow escape of the hon. Member.

Mr. KETTLE: On a point of order, is it in order for the hon. Gentleman to repeat a statement which I have just contradicted in regard to myself.

Mr. GWYNN (Galway) said the hon. Member had made a statement respecting the personal experiences of his hon. friend and himself. They challenged his statement, and he repeated it on the evidence of certain newspaper reports. Was that proper courtesy to the House?

Mr. DEPUTY-SPEAKER: There is nothing out of order in the hon. Member's making certain statements. It is not a question of order at all.

Mr. BARRIE said he recollected, in connection with the case to which he was referring, that a member of the Irish Nationalist Party, for whom he had the greatest respect, the hon. Member for Limerick, did sustain very serious injuries, and they were glad recently to welcome him back to the House, fully restored to health. The hon. Member for Galway would remember an occasion on which he telegraphed to the Chief Secretary complaining that he was not receiving sufficient protection from the Royal Irish Constabulary during the contest in which he took part at a bye-election.

Mr. GWYNN: I never sent any such telegram.

Mr. BIRRELL: I have no recollection of receiving it.

Mr. BARRIE said they had had a very long tirade on the grotesque extravagance of the Royal Irish Constabulary. He ventured to suggest that the Chief Secretary must have listened to these speeches with mixed feelings. He could not congratulate hon. Members below the gangway on the occasion which they had chosen for an attack on the Royal Irish Constabulary. He held no brief for the Royal Irish Constabulary, and he considered they required no defence. But he did remember that since this Government came into power they had had to add no less than 750 members to that important force. He thought that was the best test as to the alleged peacefulness of Ireland at the present moment, and if that were not sufficient he would remind the House of the figures given by the Chief Secretary himself the previous day with reference to agrarian outrages. The Chief Secretary replied to a question that the number of agrarian outrages reported to the Inspector-General in the year 1906 was 234——

Mr. DEPUTY-SPEAKER: This is not really an occasion for a general debate about the conduct of the police in Ireland. We are dealing with a question of finance, and the hon. Member must make his arguments relative to the Bill. He has gone very much wide of it.

MR. BARRIE said he could only regret that he was not permitted to give the figures, as he thought they would conclusively prove the argument he was using. Dealing with the Bill he reminded the House that they had had suggestions made by hon. Members below the gangway that there was a general desire among the rank and file of the constabulary that this Bill should not pass into law. He could only say that he had had no representations from the members of the Constabulary in his constituency to that effect. He had not been in particular touch with them, but he did know that for years they had been looking forward to some increase in salary, and he had heard, and he had no reason to doubt it, that they were disappointed with the increase which it was proposed to give them in this Bill. The amount of increase which it was proposed to give the rank and file was so small, and was spread over such a large number of men, that he confessed his surprise that hon. Members had thought it wise to try to prevent them being given. As to the officers, there was no proposal generally affecting their position except with one instance, and it was hardly necessary even in that House to point out the efficiency of the officers as a class generally of this important body in Ireland. He hoped that when they came to the Committee stage it would be possible to improve the additions proposed under this Bill. He would fail in his duty if he did not remind the House that so high was the standard of officers generally in Ireland, that it was a matter of common knowledge that Glasgow, Liverpool, and London had looked to the officer class of that important body to fill the highest offices which they desired to be filled, and he had heard no suggestion that the choices made by those important municipalities had not been amply justified. Indeed, in all parts of the world the Royal Irish Constabulary, both as regarded officers and men, stood as an example of the highest perfection of a police force. He could only regret that under the Chief Secretary's jurisdiction in Ireland their duties had become so much more dangerous and difficult and the right hon. Gentleman was only doing his duty in pressing through the Bill, even imperfect and short of the real needs of the force. He was thankful that the right hon. Gentleman had at last taken his courage in his hands and resolved to put this Bill on the Statute-book.

*MR. JOHN O'CONNOR (Kildare, N.) said that, carrying his mind back some twenty-three or twenty-four years to when he first had the honour of joining that House, he recalled that it was usual about the present time of the night, or rather morning, for things to begin to get a little lively. They never reached Irish business in the past until between two and three o'clock, and they generally retired about five o'clock. Another thing he recalled was that when an hon. Member made a statement in that House which was contradicted by another Member as to a matter of fact that came within his own cognisance, his contradiction was usually accepted according to the recognised courtesies of the House. Hon. Members above the gangway seemed never to have learned what the courtesies of the House were, or if they did they had departed from them, and knew them no more. Another thing he remembered was that when he first joined that House the Estimates year by year for the constabulary in Ireland amounted only to £700,000 per annum. They were now, according to a statement made by the Chief Secretary last year, £1,500,000 per annum. This was an imperial question, and that was the principal reason why he made no apology to the House for making a few observations upon it. There was a time when the contribution from Ireland to the imperial taxation was very much less than it was now. Some decades of years ago, when that contribution stood at a figure many millons less than it was now, the Imperial Exchequer reaped a very large profit from the administration of Ireland. Some years ago the Imperial Exchequer had a net amount of some £4,000,000 or £5,000,000 per annum out of the contribution of Ireland. Even so late as 1895 this country reaped a net profit out of Ireland of over £1,000,000. At the present time, owing to the larger expenditure on administration in Ireland, especially in this matter of police, there was absolutely no profit made. There was another fact which it was well worth the time of the House to consider. What was the difference between the cost of police per head in Ireland, in England, and in Scotland? In reply to the hon. Member for West Down, the Home Secretary for England stated that last year the cost of police per head in England was 3s. 4½d. The answer to a similar question to the Secretary of Scotland was 2s. 5½d., and to a question to the Chief Secretary for Ireland the reply was 6s. 8d. per head. This was an imperial question of the very first magnitude. It was the reason why the Government were now reaping no profit whatever out of the administration of Ireland. It had been said by a former Financial Secretary to the Treasury in answer to questions by himself across the floor of the House that if things went on as they were going the government of Ireland would be administered at a loss. Yet they were met that night by a Bill that sought to add to the cost, that sought to increase the enormous disproportion between the cost of policing Ireland and the cost of policing England and Scotland. Was not that a monstrous proposition? They all knew well the principle of police administration. It was that the more scattered the population the cheaper was the cost of police work. In England and Scotland, where the population was largely gathered together in great cities, the cost of the police was, according to an established principle, greater than in a country where the population was distributed over a larger area. Yet the cost of the police per head was very much less than in Ireland, where the population was agricultural, where it was distributed over a wide area, and where the cost ought in the natural course of things to be very much lower. Was it not a very sad thing for those who sat on the Nationalist benches to see this money wasted and at the same time the country crying out for attention in other respects? If the cost of the police in Ireland were reduced to what it was in England and Scotland, see what money would be saved. A large portion of that money the Chief Secretary would be able to devote at once to the arterial drainage which was urgently required in many parts of Ireland, and particularly in his own constituency, where there was a river which overflowed its banks three or four times a year. He was quite sure that if the proposition of his hon. friend were carried, and economy were brought into the administration of the country, the House would not grudge devoting the amount that was saved to the useful purpose which he had mentioned. He thought he had said enough to show that this was an imperial question. He and his friends were not going, at that late hour of the night, to put the House to the trouble of dividing on the subject, or to discuss the matter any further. They felt that the arguments which had been put before the House would dwell with hon. Members and that those who had given the speakers on the Nationalist benches the courtesy of their attention would not forget the facts. They hoped that those facts would weigh with the House, and that when they brought before the House a substantial Motion that would cover not only this, but other subjects, they would know that they had not spent the time devoted to that night's discussion in vain.

MR. DONELAN (Cork, E.) had heard the speech of the hon. and learned Member with great pleasure until he came to the final part of it—about not dividing the House. He himself entered his emphatic protest against having this Bill introduced at the very end of the session. The Royal Irish Constabulary had in the past been used for one single object—to aid and assist the Irish landlords in the collection of their rents. When the Irish Land Act of 1903 was introduced the then Chief Secretary told them that the numbers of that force were to be reduced, and the extraordinary thing was, that since a Liberal Government had been in power the numbers of the constabulary had been increased.

MR. DEPUTY-SPEAKER: I must remind the hon. Member that I have stopped another hon. Member from referring to the same subject.

MR. DONELAN, continuing, said he did not blame the rank and file of the constabulary, who had to carry out the instructions they received, but the officers had acted in a most extraordinary fashion. He protested against a Liberal Government being driven into compensating members of the force which was causing all the trouble in Ireland at the present moment.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed to a Committee of the Whole House for to-morrow.

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Lords' Amendments considered.

Lords' Amendments—

"In page 1, line 12, to leave out from the word 'interest' to the end of the clause."

"In page 2, line 25, after the word 'council,' to insert the words 'or councils'; in line 26, after the word 'for,' to insert the words 'its or.'"

"In page 3, line 8, after the word 'and,' to insert the words 'duly accredited representatives,' and after the word 'agencies,' to insert the word 'which.'"

"In page 3, line 9, to leave out the word 'carrying,' and to insert the word 'carry.'"

Agreed to.

Lords' Amendment—

"In page 3, line 16, after Clause 4, to insert Clause (*a*): '(*a*) Nothing in this Act shall be construed so as to prohibit a local authority from admitting the public to its meetings, and, subject to the accommodation available, the public shall have the right of admission to meetings of local authorities at all times when the Press is admitted to such meetings under this Act.'"

Read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. HARMOOD-BANNER wished to move to leave out all the words after "meetings" to the end of the clause. He thought the House would be somewhat astonished at the fact that this clause had been inserted. While the House had taken no objection to the admission of the Press, they did not make any provision for the admission under the same circumstances of the public. It was difficult to know why the clause had been added to the Bill. There was no difficulty about admitting the public at present where it was necessary to do so, but it certainly would not be right that they should be able to claim admission to meetings of education committees and other committees who deliberated in rooms which were unsuited to the accommodation of numbers of people other than the members of those committees. He thought it was perfectly obvious that, as the Press would be there to give the public every information, and while the public would have every facility, it did not necessarily follow that, where the local authority admitted the Press, they ought also to be bound to admit the public. He begged to disagree with the Lords' Amendment.

MR. JOYNSON-HICKS seconded.

Amendment proposed to the Lords' Amendment—

"In line 2, to leave out all the words after the word 'meetings.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That the words proposed to be left out stand part of the Lords' Amendment."

MR. ARTHUR HENDERSON (Durham, Barnard Castle) said on behalf of the promoters of the Bill that they were prepared to accept the Amendment, as they thought the words added in another place carried the Bill very much beyond what the promoters intended.

Amendment agreed to.

Lords' Amendment, as amended, agreed to.

Lords' Amendment—

"In page 3, lines 25 to 32, to leave out Paragraph (*c*), and to insert the words '(*c*) Any other local body, board, joint board, or committee which has or may hereafter have the power to impose a rate (as defined in Section 2 of this Act) and which does not require to report its proceedings to any other local authority.'"

Read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. COURTHOPE (Sussex, Rye) said the Amendment he desired to move concerned a question of language. In the second line of the proposed paragraph, the words occurred, "which has, or may hereafter, have the power to impose a rate." He thought that was a very clumsy way of expressing the evident meaning of the Legislature, and it was not desirable to put words of that kind in the Statute-book, and the Amendment, which he had handed in was to cut out the words, "which has, or may hereafter have," and to insert the word "having." The other point to which he desired to call attention was as to the words, "which does not require to report its proceedings to any other local authority." That was a very unusual way of expressing the meaning, and was more or less unintelligible in the drafting of an English Bill. It might be pointed out that the Bill applied to Scotland, and that this was Scottish phraseology, but, so far as he could make out, that was not the case, and unless some reason could be given for the insertion of these words he would like to move to leave them out.

MR. DEPUTY-SPEAKER said it was too late to move the Amendment. He had already put the Question.

MR. FORSTER said that surely, by agreement, an error of that kind could be rectified.

MR. DEPUTY-SPEAKER said if the hon. Member had called his attention to it, that course would have been permissible, but he was afraid it was too late now.

MR. COURTHOPE said he would like to call Mr. Deputy-Speaker's attention to the fact that he rose the moment the Clerk at the Table had read the wording of the clause. He handed in his Amendment eight hours ago.

MR. DEPUTY-SPEAKER said he was very sorry he had not got the Amendment.

Lords' Amendment agreed to.

CHILDREN BILL.

Reasons for disagreeing to certain of the Lords' Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Herbert Samuel.*)

MESSAGE FROM THE LORDS.

That they have agreed to Local Registration of Title (Ireland) Amendment Bill, with an Amendment.

Whereupon Mr. DEPUTY-SPEAKER, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at half-past Two of the Clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 16*th December*, 1908.

PRIVATE BILL BUSINESS.

Ards Railways Bill. Standing Order No. 123 considered (according to order), and dispensed with in respect of the said Bill: Bill read 3ª with the Amendments, and passed, and returned to the Commons.

Edinburgh and Leith Corporations Gas Order Confirmation Bill [H.L.] Standing Order No. XXXIX. to be considered To-morrow, in order to its being dispensed with in respect of the said Bill.

Perth Corporation Order Confirmation Bill. Read 3ª (according to order): Amendments made: Bill passed, and returned to the Commons.

North British Railway Order Confirmation Bill. Read 3ª (according to order), and passed.

PETITIONS.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Petitions against; of a public meeting held in Aberdeen, 6th April, 1908; Aberdeen Chamber of Commerce Incorporated; read and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

BOARD OF EDUCATION.

Report for the year 1907 on the Victoria and Albert Museum, the Royal College of Science and Art, the Geological Survey and Museum, and on the work of Solar Physics Committee.

IRISH LAND PURCHASE ACTS.

Diagram indicating up to the 30th April 1908, by counties and provinces (*a*) the area of land sold; (*b*) the estimated area of lands in respect of which proceedings had been instituted and were pending for sale under the Acts; also the estimated area of lands in respect of which proceedings for sale had not been instituted on that date under the said Acts. (In continuation of Command Paper No. 4412 of 1908.)

BOILER EXPLOSIONS.

Report to the Secretary of the Board of Trade upon the working of the Boiler Explosions Acts, 1882 to 1890, with appendices. (In continuation of Parliamentary Paper [Cd. 3627.])

WAGES AND EFFECTS OF DECEASED SEAMEN.

Account of the sums received and paid in respect of the wages and effects of deceased seamen in the year ended 31st March, 1908.

Presented (by command), and ordered to lie on the Table.

GENERAL LIGHTHOUSE FUND.

An account of the General Lighthouse Fund showing the income and expenditure for the year ended 31st March, 1908.

RAMSGATE HARBOUR.

Statement of the receipts and payments made by the Board of Trade for the year ended 31st March, 1908, together with an account of the receipt and issue of stores.

SEAMEN'S SAVINGS BANKS (MONEY ORDERS AND TRANSMISSION OF WAGES.

Account of all deposits received and repaid by the Board of Trade on account of Seamen's Savings Banks under the authority of the Merchant Shipping Act, 1894, during the year ended 20th November, 1907, and of the interest thereon; statement showing the number and amount of Seamen's Money Orders issued and paid at ports in the United Kingdom and at ports abroad from 1855 to 31st March, 1908; also statement showing the receipts and payments in connection with the transmission of seamen's wages, home and foreign, from 1878 to 31st March, 1908.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

BUSINESS OF THE HOUSE.

Moved, "That Standing Order No. XXI. be suspended, and that Government business have precedence over other

Notices and Orders of the Day for the remainder of the session" (The Lord Privy Seal (*The Earl of Crewe*))—agreed to; and ordered accordingly.

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

Read 1ª; to be printed; and to be read 2ª To-morrow (The Lord Chancellor.) (No. 263.)

POST OFFICE SITES BILL [H.L.].

Commons Amendments to be considered To-morrow.

CRIMINAL APPEAL (AMENDMENT) BILL [H.L.].

Returned from the Commons agreed to, with an Amendment: The said Amendment to be printed. (No. 260.)

LOCAL REGISTRATION OF TITLE (IRELAND) AMENDMENT BILL.

Returned from the Commons with the Amendment agreed to.

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Returned from the Commons with the Amendments agreed to, with an Amendment: The said Amendment to be printed. (No. 261.)

BUSINESS OF THE HOUSE.

*THE MARQUESS OF **LANSDOWNE**: My Lords, I should be glad to know whether His Majesty's Government have any announcement to make as to the course of business to-morrow.

THE **CHANCELLOR** OF THE **DUCHY** (Lord FITZMAURICE): My Lords, in the absence of my noble friend the Lord Privy Seal, I wish to state for the convenience of your Lordships that it is proposed to-morrow that the House should meet at half-past three with the object of giving full time to my noble friend the Secretary of State for India to make the statement which was unavoidably postponed on Monday, for reasons with which your Lordships are acquainted. It is usual on these occasions for a statement of this character and importance to be made in both Houses of Parliament, and a statement will also be made, I am informed, in another place. But as the Secretary of State for India occupies a seat in your Lordships' House it is right and natural that his statement should be made at a time and under circumstances which will enable the full attention to be given to it which the circumstances of the case and his position as Secretary of State for India naturally demand.

PORT OF LONDON BILL.

Order of the day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Lord Hamilton of Dalzell.*)

*THE EARL OF **ONSLOW**: My Lords, before your Lordships agree to the Motion it may, perhaps, be convenient that I should say a word or two upon an important principle contained in this Bill, which I can deal with better from this place than from the Chair. It is the question which was raised on the Second Reading by Lord Cromer, and is dealt with by Clause 6 of the Bill. Clause 6 was inserted in its present shape at a very late stage of the proceedings in the other House, and consequently it has not received the consideration, in that shape at any rate, of the Joint Committee which considered the whole Bill. The object of this clause is to shorten the time, to diminish the expense, and to make it generally more easy to execute certain works and to acquire land otherwise than by agreement. I will not enter into the question of the provision enabling the Board of Trade to issue an Order empowering the Port Authority to execute certain works, because that is not exactly the point to which I wish to direct your Lordships' attention, although it is one which I am quite sure will not be lost sight of by other noble Lords. What I want to draw attention to are the provisions to facilitate the acquisition of land otherwise than by agreement. At present that can only be done by the promotion of a private Bill or by a Provisional Order, which is very much the same thing, either of which may be referred, if Parliament so determines, to a Committee of both Houses, before whom all the parties can be heard. The few years experience that I have had of the office I now hold leads me to say that

that is a most lengthy, cumbrous, and costly procedure, and though I should be extremely reluctant to see any operations of any magnitude of this kind, involving very large sums of money or areas of property, removed from the ken of Parliament, I cannot help seeing that there is a desire on many sides that something should be done to cheapen the method of acquiring land. The clause, I think, has been very carefully considered, and although its drafting admits, perhaps, of some improvement to make it, especially the early part of it, more intelligible to those who will have to interpret it, yet I think that, generally, the main object is attained, namely, that land may be taken for the purposes of the Port Authority by an Order of the Board of Trade, which can only be made after an inquiry by an impartial person. I do not quite know what is meant by an impartial person. I daresay the noble Lord in charge of the Bill will be able to tell us what the Board of Trade mean by an impartial person; but, at any rate, I hope I may assume that what is meant is some person in no way connected with the Board of Trade or any other Government Department. Then it proposes that the Board may make an Order, and that Order will, of course, have all the sanction of law if—and this is a very important "if"—after it has lain on the Table of both Houses of Parliament for thirty days during the Session, there is no Motion for an Address from either House against its enforcement. That I look upon as a very valuable safeguard, because it does not entirely remove this matter from the ken of Parliament nor place it solely in the hands of a Government Department. It still leaves to Parliament the power of listening to complaints; and if Parliament thinks that injustice has been done, by an Address to the Crown the whole of the proceedings may be quashed. There is one proviso which I am glad to see my noble friend Lord Camperdown proposes to omit—namely, the proviso that the Board of Trade may by Provisional Order make such modifications and adaptations of the provisions of the Lands Clauses Acts to be incorporated in an Order under this section as may be specified in that Provisional Order. This, I venture to think, is not a safe proviso to place in Bill, because it would give the Board of Trade power to bring in a Provisional Order making a general variation of the terms of the Lands Clauses Acts, which might be quite appropriate to some particular acquisition of land but not to all such purchases, and which, in my humble judgment, could not afterwards be varied except by another Provisional Order. If these Orders are to be made at all, they should incorporate the Lands Clauses Acts in their entirety, and there should be no power on the part of the Board of Trade to set aside any of the provisions of those Acts. I rather welcome this clause, altogether not on account of its utility in this particular Bill, of which I am not in a position to judge. But I cannot help thinking that there is such wide dissatisfaction with the present system, which has been in operation for many years, that it will not be inadvisable if your Lordships pass a clause of this kind, that perhaps, after watching the operation of it for some years we may be able to determine whether there is not some cheaper and less cumbrous method by which we can deal with the taking of small quantities of land other than by coming to Parliament by Provisional Order or Private Bill.

*EARL CROMER: My Lords, I should like to say a few words on this subject. The whole question is much too important to be dealt with either at this period of the session or in connection with this one clause. There is one method by which these great delays in dealing with Private Bills could be avoided. As far as my experience goes, there is almost always in important Bills some vital question of principle and also a quantity of detail. I submit that it is the business of Parliament to deal with principles and not the business of Committees. Committees ought to deal merely with details. I would instance what happened in the case of the London Electricity Supply Bill. The expenditure in connection with that Bill almost amounted to a public scandal. Behind it lay the important principle whether this should be done by the municipality or by private enterprise, and I submit that that ought to have been decided by Parliament before the matter went to the Committee. I am at this moment sitting on the Staffordshire Potteries Committee. An important question of principle is involved—namely, whether these small towns should be federated, and also the extent to which it is justifiable on the part of Parliament to override local opinion. I submit that that is a question which Parliament ought to decide. In the case of the Port of London Bill a different practice was adopted, and a very wise one. In that case, too, there was a question of principle involved, and an instruction was given to the Committee. If that were done in other cases, an enormous amount of time and money would be saved. As regards the particular clause in this Bill, I heartily agree with what the noble Earl the Chairman of Committees has said. I think we ought to have some definition of an impartial person. I have not the smallest doubt that the Board of Trade will exercise their powers impartially. I have not put down an Amendment, because I hoped the noble Lord would deal with the point himself. I should like him to put in——

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): I think, with great respect to the noble Earl, that until we come to the Amendments it would be wise to defer any observations upon them. At present we are dealing with the general principle.

THE MARQUESS OF SALISBURY: After what has just fallen from the noble Earl the Leader of the House I shall not discuss the details of this clause. I can quite understand why my noble friend the Chairman of Committees desired to address your Lordships at this stage, because, owing to his unfortunate disability, in a few minutes he will not be in a position to address your Lordships at all. It is very difficult to go into the details of a clause on the Motion to go into Committee, and after what the noble Earl has said I will reserve what I have to say until we reach the clause.

*THE EARL OF CREWE: Perhaps I may, within the limits which I have ventured to lay down, say a word on what fell from the noble Earl the Chairman of Committees, because I think it must be agreed by all your Lordships that a certain new departure, possibly of a far-reaching character, is involved in the propositions contained in the clause under notice. I think most of us who have had experience in the rooms upstairs will be disposed to agree with what has fallen from my noble friend on the cross benches, and also from the noble Earl the Chairman of Committees. We have all felt, I think, those of us who have had much to do with those Committees, that they are very admirable tribunals for important matters, but I do not think that anyone who has spent the days and weeks and months that some of us have there can possibly deny that there is a considerable expenditure of time in relation to them which cannot be regarded as entirely profitable. And when I say time, that, of course, means money. I do not mean the time of those who sit on the Committees, but the very valuable and expensive time of the parties concerned. A Committee of your Lordships' House is like an elephant—it can pull down a tree and pick up a pin; but it is not an economical thing to keep an elephant in your establishment for the purpose of picking up pins. That is what I am afraid has sometimes been the case with regard to the work of the Committees of your Lordships' House. The noble Earl, Lord Cromer, mentioned a particular Committee in which the question of municipal trading came up, and he argued that the question ought to be settled by Parliament on a general principle and not settled in a particular case by a Committee on a Bill. That touches me rather nearly. I presided for two years over a Joint Committee on the question of municipal trading, and we were unable, I am sorry to say, to arrive at any general conclusions whatever. That so went home to the President of the Board of Trade—at that time Mr. Gerald Balfour—that he did not think it worth while to re-appoint a Committee. I, therefore, think that if the noble Earl sits upon many more Committees he will probably have to consider the principle of municipal trading in relation to particular cases, and he will not find the general principle so easily settled by Parliament as he seems to think.

*EARL CROMER: My point was that private people ought not to be compelled to pay £100,000 because the principle had not been settled.

On question, Motion agreed to.

House in Committee accordingly.

[The Earl of Onslow in the Chair.]

Clause 1 :

*The Earl of DARNLEY moved to amend Clause 1 by increasing the number of the appointed members of the new Port Authority from ten to twelve. He said the Amendment was designed to give representation to the two counties of Kent and Essex on the new Port Authority. As precisely the same arguments applied to the case of each county, the two counties had been put together in the consequential Amendment for convenience. The main argument for this representation rested upon the fact that the river, over which the new Board would be practically the sole Authority, flowed for over forty miles between the shores of these two counties, and that in each county the great industrial centres of population lay along the shores of the river. From Woolwich to Gravesend, on the Kent side, there was practically one continuous line of riverside towns, wharves and factories, all dependent entirely, or almost entirely, for their prosperity upon the proper working of the river. On the Essex side there was an estimated population of some 490,000 people in districts bordering on the river, all equally interested and dependent on the river for their livelihood. Under the Bill these enormous interests, including those of all the riverside manufacturers would be absolutely unrepresented on the new Authority. Up to now each of the two counties had had a representative on the Authority that had managed the lower river—the Thames Conservancy—and the county representatives had been extremely useful on that body, not only to their own constituencies but also to the Conservancy Board itself in giving information as to local industries and questions affecting the river banks, river pollution, and other matters. Under this Bill the two counties to which he had referred would be entirely disfranchised. The maintenance of the sea walls was an especially important matter. There were many miles of sea walls in both counties, protecting thousands of acres of land and large and populous districts. It could hardly be supposed that the London representatives on the new Authority would be able adequately to protect these large interests without any of that local information which a representative from the county would be able to give. The new Port Authority would also be the Authority under the Rivers Pollution Act, and there, again, would have powers which would very gravely affect the interests of the two counties, and of the health resorts along the shores, and the fisheries. As had been argued in the House of Commons, it seemed hardly just that the Authority which would have control over fifty miles of river should be entirely composed of representatives elected by people within the first eight miles. The case for Kent and Essex was further strengthened by the fact that the Royal Commission of 1900 especially picked out Kent, Essex, and West Ham for representation. Both the county council of Kent and that of Essex petitioned Parliament for representation, but the Joint Committee were not able to hear their arguments, and the matter was brought before Parliament in the House of Commons on the Committee stage of the Bill. The President of the Board of Trade agreed that an excellent case had been made out for the two counties, but wanted no additions made to the very compact and workable numbers of the Authority as proposed to be constituted under the Bill. He thought it would be difficult to sustain by argument that a workable and manageable body of twenty-eight would lose those desirable qualifications by being increased to thirty. One of the main grounds of refusal appeared to have been that there was to be nothing sectional about the representation on the Board. Mr. Rowlands, the Member for the Dartford division of Kent, a large riverside constituency, had declared it absurd to talk of sectional rights as applied to a county having 1,000,000 inhabitants and such vast interests in the river as the county of Kent. Other hon. Members agreed. He understood that this sectional or geographical basis of representation had been made use of in the constitution of every Port authority in the United Kingdom with one exception—namely, the Port of Liverpool; but he had been told that there was no possible analogy to be drawn between the case of the Mersey and that of the Thames. The Mersey Dock and Harbour Board already owned practically all the great interests concerned, and there were no miles of thickly-populated shores of the two counties of Lancashire and Cheshire to be unrepresented as in the case of the Thames. It had been stated by the Chairman of the Joint Committee that the Board was to be composed of representatives who would be anxious to promote the interests of the Port of London as a whole. Surely, from the lowest standpoint of self-interest alone, any improvement of the trading facilities of the Port of London would be so beneficial to the inhabitants of the riverside towns of Kent and Essex that it would receive the greatest support from the representatives of those two counties. In these circumstances, he hoped the Government would be able to accept the Amendment.

Amendment moved—

"In page 2, line 2, to leave out the word 'ten,' and to insert the word 'twelve.'"—(*The Earl of Darnley.*)

LORD HAMILTON OF DALZELL said the noble Earl had pleaded very eloquently for representation for his own native county and for that of the county of Essex, which occupied an analogous position on the other side of the Thames estuary. He was sorry to say he could not agree to the inclusion of a representative of either of these counties on the Port Authority. The matter had been considered before the Joint Committee, and the conclusion which the whole of the members of the Committee came to was that the number of appointed members of the body was quite large enough already. What they desired was to make this a business body to control a purely business concern—namely, the Port of London. It was true that in the composition of the body representation was given to the London County Council and to the City of London, but he thought their Lordships would see that the interests of those two bodies, representing as they did the town of London, were altogether exceptional, and that no other public body could claim to have an analogous interest. The noble Lord had quoted the fact that the Royal Commission advocated the giving of representation to each of these counties. That was perfectly true; but it must be remembered that at that time it was contemplated that the Port Authority should consist of forty members and not of twenty-eight, and the giving of two members out of forty was not the same thing as giving two out of twenty-eight. Further, the composition of the body contemplated by the Royal Commission was different from the composition now proposed, in that the nominated element predominated largely over the elected element. That, of course, was because the scheme contemplated by the Royal Commission was one in which the finance was to be backed by the London County Council. In this case the Port was to stand in that matter absolutely on its own legs, and, therefore, as he had explained the other evening in moving the Second Reading of the Bill, a predominating influence on the Board was given to the representatives of the shippers and traders. The noble Earl had said that to include two extra members would not seriously affect the nature of the Board. But this was hardly a question of two members: it was a question of principle. If Kent and Essex were to be given these representatives, how were the Government to refuse similar representation to West Ham, Surrey, and Middlesex, to mention only three of the other applicants who were sure to come forward? If they did that, it would mean that the proportion between elected and nominated members, to which he had already alluded, would be upset, and if they were to restore it, it would mean making the body very much larger than was contemplated. The Government were most anxious to avoid that for two reasons. There was no doubt that a small body was generally recognised as being more businesslike than a large one. There was also no question that it would be difficult to find good men with sufficient leisure to devote to the work of the Port of London, and that difficulty would be enormously increased if they doubled the number of members of that body. Then the noble Earl alluded to the sea walls of the counties in question. In connection with that, he would point out that ample provision was made in the Bill against any damage that might be done to sea walls by the dredging operations of the Port Authority. On the grounds he had mentioned he hoped their Lordships would not support the Amendment

*THE EARL OF JERSEY did not think the answer which had just been given on behalf of the Government could be considered quite satisfactory. Why should not the other authorities having jurisdiction along the banks of the river, such as the Middlesex County Council, to which he belonged, and the Surrey County Council be represented? After all, the great object ought to be to get a thoroughly representative body. There was another important point. This question of representation was not gone into at all by the Joint Committee. It was surely a new departure in the working of a joint committee, or of any committee, if the chairman was to decide beforehand that the question was one of principle and therefore was not to be gone into, and then refuse to hear the parties interested. He confessed that he read the Report of the proceedings of the Joint Committee on this point with great regret. It would be a great pity if it went abroad that an important principle could be settled beforehand by a Committee without allowing the parties to be heard.

*VISCOUNT MILNER did not think the Committee was animated by the somewhat autocratic spirit which the criticism of the noble Earl seemed to imply. Simply with a view of saving public time, the Committee did not hear the whole series of these applications for local representation—because it was put to them so convincingly by the promoters of the Bill that it was not desirable to make the numbers of the Port Authority much larger than the figure originally contained in the Bill. If the Government were right in thinking that a body of about twenty-five would be more workable than one of forty, it became necessary to scrutinise very closely every single plea for addition. So far from being opposed to the principle of representation, the Committee were very anxious to make the Port Authority even more representative, but representative of those directly interested. The changes made by the Committee in that respect went in the direction of strengthening the number of the elected as contrasted with that of the nominated members, and he would have liked to give even a more decisive preponderance to the elected members. The people in Kent and Essex who were interested in the river would be represented through the elected members. It was not from hostility to the various localities that the Committee took the action which they did.

THE DUKE OF NORTHUMBERLAND could not understand the explanation of the noble Viscount. The noble Viscount had laid great stress on the necessity for keeping the appointed members to a limited number, and said that this necessity obliged his Committee to scrutinise very closely every single plea for addition. The way in which the Committee scrutinised those pleas was by giving the local authorities no opportunity of putting their pleas forward. He did not understand why the Committee refused to hear people who already had an interest in the river and already possessed representation on the Thames Conservancy. He could not agree that if they admitted one or two of these authorities, they must admit the whole number; but he did think Middlesex and Surrey should be admitted. He protested against putting a county council on exactly the same level with half a dozen other bodies. A county council was a body representing a large area, and it was representative, to a certain extent, of the smaller authorities. And if they were to take the line which it appeared the Government were very much inclined to take, that county councils were never to be trusted to represent anybody or to do anything, he really did not see why they created those bodies at all. There never had been a Government, he thought, who had fettered so much the discretion of county councils in various directions, and placed them so drastically under the authority of Government Departments. This was another instance, it seemed to him, of the distrust of county councils—a very extraordinary symptom on the part of a party supposed to have very great confidence in representative Government and in the democracy. He agreed with Lord Jersey that there were other county councils besides those of Essex and Kent, who had a claim to be represented on this body, but that was no reason for not including Kent and Essex; and by adding four or five to the number and satisfying the legitimate aspirations of the counties concerned, they would not be doing any harm to the efficiency of the new Authority.

LORD BELPER disclaimed any interest in either of the two counties wishing for representation on the Board, but said it seemed to him that the Amendment embodied a very important principle. He thought he could best point out the importance of the principle by reading a resolution passed unanimously by the County Councils Association, not in connection with this Bill, but in regard to a measure of a similar character a year and a half ago. The resolution ran—

> "That this council is in favour of the principle that county councils should be represented on boards of conservancy of rivers which pass through their areas."

That resolution was come to in consequence of strong representations made with regard to the important interests of people who live along the banks of rivers. He did not pretend to know the interests in this case as well as the noble Lords who spoke for the counties concerned, but this was not a merely sentimental proposal. There was an immense population in Essex living, he believed, on twenty-three square miles of land, the whole of which lay below high-water mark, part of it as much as ten or twelve feet below, and this part was only protected by the sea wall. Those who lived on the banks of the river might be materially affected by any works that were done in the river, and the object of having a representative of the riparian owners on the authority was that he might point out the possibility of damage being done before steps were taken, so that the damage might be avoided.

*LORD HARRIS said the remarks both of the noble Lord in charge of the Bill and of Lord Milner showed that the consideration by the Committee was far more largely, and quite naturally, given to the commercial side of the question than to the conservancy side. He admitted that if it had been a purely commercial question, the two counties concerned would not have such a strong case for representation as they undoubtedly had. But the principle of representation on the banks of the river was recognised in the Bill itself, and it was only when they came below the Port of London that the principle was ignored. He submitted that that was unreasonable. In a sense there was taxation without representation. It was most important, not merely in the interests of the dwellers on the banks, but in the interests of other large areas some distance from the banks, that the river walls should be maintained. Those walls were kept up by a system of taxation, and operations might take place in the river which might seriously affect those walls. The noble Lord in charge of the Bill considered that the counties were protected as regarded damage. If he remembered aright, the provision was that any dredging done within fifty yards of the bank was to be with the approval of the county engineer. But a great deal of damage could be done to a river wall by dredging at a greater distance than fifty yards. There were possibilities under the Bill of operations being undertaken in the river without the county possessing the opportunity of having a word said on its behalf on the board. It was most unreasonable that it should be possible for operations to be undertaken which might seriously injure property along the river without those concerned having any opportunity of knowing that the operations were to take place. He submitted that the principle recognised above the Port of London had been disregarded below it. Taxation did not go hand in hand with representation in this Bill. On these grounds he hoped the Government would reconsider the provision.

THE MARQUESS OF SALISBURY could not help thinking that the Members of the Joint Committee now realised the force of what he had ventured to urge upon their Lordships on Second Reading, that it was a pity the Committee did not hear the whole of the case before they reported, not because the conclusions of the Committee were distrusted, but because there was always a sense of injury left behind if people were not allowed to have their say. Although the Order of the House of Commons was that all the parties interested should be heard, when it came to the point as to representation the Committee decided that parties who were vitally interested should not be heard. That had left behind a sense of great grievance, and, moreover, it threw an obligation on their Lordships to consider the subject *de novo*, because it had never been considered at all. Wharves and other facilities for trade were being constructed along the shores of Essex and Kent, and this fact gave these counties what he should venture to describe as vital port interests, quite apart from the question of flooding. Lord Milner was of opinion that these interests were sufficiently represented by the franchise which the Bill gave to the payers of dues. What franchise had the county of Essex, or those interested in the development of the shore of Essex, in the Port Authority? They had a very small part of the voting power of those who paid dues outside the docks. The whole voting power of those who paid outside the docks was minute compared with the voting power of the docks, and only a small fraction of that fraction was the voice which Kent and Essex would have in the administration of the Port. What chance, therefore, was there of their interests being closely considered? Let them look at the composition of this body. There were eighteen elected representatives and ten nominated representatives. Of the eighteen elected representatives, the payers of dues outside the docks could only expect four.

LORD HAMILTON OF DALZELL: That is not proved.

THE MARQUESS OF SALISBURY: No, but the noble Lord did not deny it when I said it.

LORD HAMILTON OF DALZELL: I was not in a position to confirm or deny it. No one can say one way or the other until the register of payers of dues is in existence.

THE MARQUESS OF SALISBURY submitted that he had sufficient grounds for assuming that his figure was accurate until the noble Lord brought forward a figure on the other side. Supposing he were right, of the eighteen elected representatives the interests outside the docks could only elect four. Let them imagine a case in which the whole of the ten nominated members considered a particular proposal in the interests of the docks unfair to the outside interests. They would all vote one side, and the representatives of the outside interests would, of course, vote with them, but, even then, they would not be able to carry their view against the representatives of the docks. The decision would depend upon the casting vote of the Chairman. That could not be considered ample representation for those interests outside the docks which were in direct competition with the docks. If the Committee were good enough to add these representatives to the Port Authority, the impartial members of the board would be in a larger proportion, and there would be much greater guarantee of fair consideration when the two competitive interests were in question. Lord Milner had submitted that the London County Council stood in a very special position. He admitted it did not stand in the same position as under the Bill previously before Parliament. On that occasion the direct financial responsibility of the County Council was involved.

VISCOUNT MILNER: There was a much larger number of representatives.

LORD HAMILTON OF DALZELL: And Kent and Essex had none.

THE MARQUESS OF SALISBURY said that on that occasion a distinction was drawn between the County Council of London and other county councils because the former had a financial responsibility which the other county councils did not have. But that had now disappeared altogether, and, therefore, if they gave representation to the County Council of London there was, at any rate, a claim for some small representation for the other bodies. He suggested, very respectfully, to the Government that they should give way on this point. Naturally there was a certain amount of friction and jealousy in the passage of a great Bill of this kind, but the granting of judicious concessions such as this would add much to the smooth passage of the Bill.

*THE EARL OF CREWE: In spite of the appeal of the noble Marquess opposite, I think it is not difficult to show why it is not possible for us to give way on this particular Amendment. It has been very truly pointed out, in the course of this discussion, that there is a real question of principle involved, and the desired giving way is not giving way in respect of adding one member for Essex and one member for Kent, but it is the abandonment of the entire principle on which this Port Authority is based. The Port Authority is based, not on a geographical principle at all, but on a principle of commercial representation, and if you add these members, it is not the addition of this or that gentleman to the body—it is the complete abandonment of the principle of commercial representation, in favour of the geographical plan; that is to say, you abandon the Mersey principle in favour of the principle which obtains at some other places, while it is the deliberate opinion of those who have looked into this question and have been in a position to adjudicate upon it, that the principle of the Mersey Dock Board is the one best suited to the conditions of London. If you go on the geographical plan you adopt a different system altogether. These gentlemen elected from the different counties will be free to represent the particular interests of those counties. It is not, I think, to be supposed that they can take the same interest in the general work of the board as is taken by the other members. I do not say that their attendance would be limited to the occasions on which the particular matter of the river banks was involved, but their interest, and consequently their attendance, would not be of the same character as in the case of those interested in the daily life of the Port. Then the noble Lord, Lord Belper, mentioned a case in which county councils had been represented in consideration of what took place in the upper reaches of the river, and Lord Harris pointed out very truly that in the third Schedule of this Bill there is a great deal of county representation. Those two statements appear to me to answer each other. The county representation exists in the upper reaches of the river because that is in the nature of a Rivers Board and not a Port Authority; and as that representation exists in the upper reaches of the river, which are looked after by the counties interested in them, the whole question of the upper reaches disappears in relation to this particular question of the Port of London. The noble Duke opposite said that we were operating in a direction hostile and adverse to county councils. I really do not know to what particular action of ours he alluded, and it seems hardly worth while to deny that we are actuated by any hostility towards the county councils of Kent and Essex. If it were a mere question of doing an obliging thing for them, we should be delighted to do it; but it is altogether impossible for us to accede to this Amendment without departing from the general principle of the formation of this body. As regards particular interested counties, it does seem to me that Section 44 safeguards them as far as they possibly can be safeguarded by an Act of Parliament and without immediate representation on the Board, and probably in practice it will protect them quite as well. The noble Marquess who has just sat down turned the argument into a somewhat different channel. He opened up the question of what he considered to be the inadequate representation of the riverside trader. That surely is an entirely separate question. If the proportion of members representing the commercial traders is insufficient, that is a point which can be argued separately, and a large representation can be devised for them.

THE MARQUESS OF SALISBURY: Does the noble Earl wish to imply that the Government would favourably consider such an Amendment?

*THE EARL OF CREWE: No. I meant so far as this particular Amendment is concerned the noble Marquess's argument did not seem to me to be particularly relevant. I do not see what reason there is to suppose that these special representatives of counties would specially interest themselves in the fate of the riverside trader. The noble Marquess did not himself go further than to say that they would at any rate be impartial, that they would not be biassed in favour of the docks. I confess that does not seem to me to be a very strong argument, and I repeat once more that this Amendment is really far more important and far-reaching than might appear from the terms of it as it stands on the Paper, because, as was so very clearly pointed out by the noble Viscount on the cross benches, it modifies almost to the point of destroying the principle of representation in the Bill.

LORD AVEBURY supported the Amendment, and said he had listened with astonishment to the argument of the noble Earl. If the Port of London was to be managed by commercial authorities, how was it that among the nominated representatives they had the Admiralty, the Board of Trade, the County Council, and other bodies less or more in touch with commercial interests represented? The noble Viscount on the cross benches had defended the action of the Committee, but the Committee had been most unfair in having heard all the arguments against Kent and Essex and refused to hear any of the arguments in their favour. Lord Salisbury had, if anything, understated the case. The payers of dock charges would vote on £2,100,000 and the others on £320,000; it was, therefore, obvious that those who were interested in the docks would have an overwhelming advantage over those who were not so interested. He hoped the Committee would support the Amendment.

*THE MARQUESS OF LANSDOWNE: We have been left such a lamentably short space of time in which to consider the intricacies of this Bill that I am inclined, so far as possible, to shelter myself behind the authority of the Joint Committee, and if I believed that this Amendment vitally affected the principles upon which the Committee have proceeded, I should hesitate to give it my support. But I cannot bring myself to believe that the addition of these two members to the Port authority really will have the effect of fundamentally changing the complexion of that Authority. If it were the case that by adding representatives of the Kent and Essex County Councils we should open a door through which a number of other similar representatives would have a claim to pass, I should concede at once that the Amendment was a very dangerous one. But surely the position of these two counties is exceptional. My noble friend has pointed out that they both include a large amount of the frontage of the river, and we all know that it is a part of the river in which commercial and industrial enterprise of all kinds is going ahead rapidly at the present time. They have, therefore, a commercial interest in the river, and they have also, as has been shown, a very considerable territorial interest, inasmuch as a large acreage of the county lies below the tide level. It does seem to me that a case has been made out for giving representation to these two counties, which, let us not forget, have representation of some kind at the present time, and which are not only to be deprived of that representation, but to be deprived of it without having been given a hearing. That seems to me to give them a very strong case. It is suggested to us that this authority, if it is to be an efficient body, must remain of moderate dimensions. I quite agree with the noble Lord in charge of the Bill that as a rule the efficiency of bodies of this kind varies inversely with their size; but I am not quite convinced that efficiency ends at twenty-eight, and that the addition of two extra members makes the whole difference in that respect. I have listened to this discussion with a perfectly open mind, and I am bound to say that I have been convinced by the arguments in favour of the Amendment.

THE LORD CHAIRMAN said the Amendment before the Committee was to leave out the word "ten" and to insert the word "twelve." The noble Earl who had moved this also had an Amendment later on to add to subsection (6), which provided the number of appointed members, one representative to be appointed by the Kent County Council and one by the Essex County Council. He presumed the Committee would accept the decision on the present Amendment as governing the subsequent Amendment.

On Question, that the word "ten" stand part—

Their Lordships divided:—Contents, 47; Non-contents, 90.

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Wolverhampton, V. (*L. President.*)

Crewe, E. (*L. Privy Seal.*)

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Beauchamp, E. (*L. Steward.*)
Carlile, E.
Carrington, E.
Chesterfield, E.
Craven, E.
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Althorp, V. (*L. Chamberlain.*)
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Allendale, L.

Armitstead, L.
Burghclere, L.
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Dawnay, L. (*V. Downe.*)
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Eversley, L.
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Hemphill, L.
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Shute, L. (*V. Barrington.*)
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Waleran, L.
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Wynford, L.

Amendment agreed to accordingly.

LORD AVEBURY moved an Amendment to reduce the representation of the London County Council on the new Port Authority from four to two members, who might or might not be members of the Council. This Amendment, he said, was not due to any want of confidence on his part in the London County Council. The fact was, the duties of the London County Council were enormously heavy. Years ago Lord Rosebery, a former chairman, expressed the earnest hope that they would not break the back of the Council; but since then not a year had passed without important additional duties being thrown on the County Council. He had often been asked whether some of the young and able men in the City could not be induced to serve on the London County Council, but it had always been found that there was reluctance to do so, owing to the great amount of time necessary to be given to the work. He maintained that it was impossible for any man to do his duty as a member of the London County Council and at the same time to be an efficient member of the Port Authority. In the previous Bill it was quite right that the London County Council should have more representation, because the Council were to be asked to give a guarantee. There was no question of guarantee in this Bill, and he therefore submitted that to give the London County Council two members would be to afford them adequate representation. If the Committee adopted his Amendment the number of members would again be reduced to the magical figure of twenty-eight, to which the Government had attached so much importance.

Amendment moved—

"In page 2, line 5, to leave out the words 'By the London County Council, being members of the Council, two.'"—(*Lord Avebury.*)

VISCOUNT MIDLETON trusted that the Government would not accept the Amendment. The noble Lord was so well-known both for his knowledge of London and his work on the London County Council, that he would be acquitted of any desire to show any disrespect or unfairness to the London County Council, but by this Amendment he had a little dissembled his love. Previous Bills tried to place the whole responsibility of this enormous charge on the Council. He felt as strongly as anybody that the imposition of fresh duties by Parliament on that body had its drawbacks, and might end in overloading it. But, however undesirable it might be to charge it with the whole service of the river, it was indisputably desirable that there should be complete contact and harmonious working between the new authority and the Council. He agreed as to the difficulty of finding men able to discharge their municipal duties and duties of this character; but that difficulty was overcome in the case of the Thames Conservancy, and when they considered how the powers given under the Bill interlaced with the functions of the County Council, it would be seen that there was no incongruity in giving the Council the representation proposed in the Bill.

LORD HAMILTON OF DALZELL said that the fate of the London County Council in the matter of representation on the Port Authority resembled that of the ten little niggers. As the Bill was introduced, it was given five members, but the Joint Committee cut that representation down to four, and he hoped that their Lordships would keep it at that number. If the counties of Kent and Essex, which had comparatively small interests in the Port of London, were to have a member each, it was not making an excessive demand that the County Council, with its far greater interests, should find two of its number and appoint two other members.

Amendment, by leave, withdrawn.

Amendment moved—

"In page 2, after line 13, to insert the words 'By the Kent County Council, one. By the Essex County Council, one.'"—(*The Earl of Darnley.*)

On Question, Amendment agreed to.

THE EARL OF CAMPERDOWN had an Amendment on the Paper to leave out subsection (11).

"(11) The first elected members, instead of being elected as provided by this Act, shall be appointed by the Board of Trade after consultation with such persons and bodies having knowledge and experience of trade or shipping in the Port of London as the Board may think fit and the first chairman shall, if the Board think fit, be appointed by the Board, and shall, if appointed by the Board, be paid such salary (if any) as the Board may determine."

He did not propose to move the Amendment, but had placed it on the Paper in order to direct attention to the fact that under this subsection the first board was to be exclusively appointed by the Board of Trade, and under Schedule 1 they were to remain in office for four years.

Clause, as amended, agreed to.

Clause 2:

LORD AVEBURY moved to omit the provision that the Port Authority might "carry on the undertaking of any dock company transferred to the Port Authority by this Act." He said this was a most important part of the Bill and one which had received no consideration whatever by the Joint Committee. The Committee no doubt considered what the price should be, but the Chairman ruled out of order any consideration of the question of purchase. Experience showed that whenever businesses of this kind were transferred to a public body they were more expensively managed. The expense would be much greater than was estimated, and there would be little margin of income for the improvement of the river. This provision would impose an immense mass of detailed labour on the Port Authority in the management of warehouses which required great knowledge of business and a very careful supervision of details. It was most important that the authority should have time to consider large questions affecting the river, and should not be occupied with the petty but important details of the transaction of a business of this kind. Why was this body going to buy only certain wharves and warehouses? It would follow that it would have an interest in some and none in others. It would be very difficult for it to exercise fair play between the different parties on the river if it had a direct pecuniary interest in some wharves and warehouses and none in others. The Authority should have nothing to do with an immense business of this kind, which had no connection with the control of the waterway. To saddle the Port Authority with the management of great warehouses would divert their attention from more important duties and would raise considerable friction.

Amendment moved—

"In page 3, lines 20 and 21, to leave out the words '(*a*) carry on the undertaking of any dock company transferred to the Port Authority by this Act.'"—(*Lord Avebury.*)

LORD HAMILTON OF DALZELL said the noble Lord had complained that though the price to be paid for the docks had been discussed, the abstract question of whether or not they should be purchased had not come under consideration. So far as he himself was concerned, he did not feel at all guilty on that head, because of the time he had ventured to occupy in moving the Second Reading quite three-quarters was devoted to that particular question, which was undoubtedly the main point in the Bill. It was thoroughly before the House on that occasion, and it was almost on that alone that their Lordships gave their judgment in favour of the Second Reading. They had been told by the noble Lord that it was not necessary for the Port Authority to buy the docks. He did not propose to go into that question deeply, and he did not think their Lordships would wish him to. He would, however, point out that more than 100 years had elapsed since the first docks were made, and they were made because at that time, when the tonnage of shipping using the River Thames was not a tithe of the tonnage using it now, the congestion of the river had been found so intolerable that it was necessary to relieve it in some way. If that was the case then, it must be much more the case now. Therefore, they might assume that docks were necessary. Then if there was to be an authority set up which was to control the Port, but not to buy the docks, what was it to do? Was it to set up docks on its own in competition with existing docks, hampered as they would be by the Parliamentary restricttions placed upon them, and then starve them out of existence? He could hardly believe that their Lordships would approve of such a proceeding. Such a scheme would outrage a sense of common fairness. He did not think their Lordships would wish him to re-argue the case in favour of purchase, though, of course, he would be perfectly prepared to do so if necessary.

THE MARQUESS OF SALISBURY thought his noble friend's speech had been misunderstood. What Lord Avebury complained of was that the question of purchasing the docks was not allowed to be discussed before the Joint Committees. That he believed to be the fact. The question of purchase was not discussed before the Joint Committee although the question of price was. The shortness of the time allowed to their Lordships for the discussion of the Bill was very unsatisfactory and no opportunity was afforded of going into the very heart of this subject. He thought the great community of London and its commercial interests deserved better at the hands of the Government and of their Lordships' House than that they should slur over this most important matter. But so it must be. There was no doubt that if they were to decide, as Lord Avebury suggested, that the docks should not be purchased it would mean the wrecking of the Bill, and involve the postponement of a settlement of the question to a future more or less remote. On the Second Reading it was agreed on all hands that the time for settlement had arrived, and therefore, as the deletion from Clause 2 of the paragraph in question would mean the postponement of a settlement, he regretted he could not help his noble friend in carrying his object. Moreover, he was in favour of purchase, and, therefore, could not support the Amendment on the merits.

*THE EARL OF CREWE: My Lords, on the point that this question of purchase was not discussed before the Joint Committee, being considered a closed question before it reached them, I may remind the House of what happened with regard to the London Water Board. I was a member of the Joint Committee which considered that matter, and we were not only not permitted to discuss the question as to whether the water companies should be bought out, but we were not permitted to discuss on that Joint Committee, over which Lord Balfour of Burleigh presided, being at that time a Member of the Government—we were not permitted to discuss who the authority should be to buy them. That being the case, I think we may fairly claim that in not permitting the Joint Committee to discuss this question of purchase we have not gone nearly as far as the former Government did on a somewhat similar occasion. The noble Marquess who has just sat down made a complaint which has been to some extent made before as to want of time for dealing with this matter. I do not think the noble Marquess is entirely justified in that complaint. We have never suggested that a discussion upon this Amendment or upon any other Amendment should be curtailed for want of time. I think discussion upon this Amendment useless because it is really a repetition of the discussion on the Second Reading, and on that account I certainly should be disposed to deprecate further discussion upon it. But as regards time for general discussion of the Bill, I should like once for all to say this. We have on several former occasions mingled our tears with those of noble Lords opposite in regard to the brevity of the time given to this House, unfortunately, as I think, for the discussion of important subjects. We shall not mingle them again after what occurred in this House with respect to the Licensing Bill. On that occasion the noble Marquess, in words which I am glad to believe will become immortal, stated that the amount of discussion which that measure had received both in and out of Parliament enabled noble Lords opposite to decide to throw it out before the Motion for its Second Reading here had been made. Therefore, I must warn noble Lords opposite that they will receive no more apologies from this Bench on the question of the amount of time given for the discussion of important measures.

LORD AVEBURY said he fully agreed as to the importance of establishing a Port Authority, but they might do that without purchasing the docks. He felt, however, that he could not carry the matter further, and would content himself with having made his protest.

Amendment, by leave, withdrawn.

*THE EARL OF JERSEY, on behalf of the Earl of Meath, moved to insert in the clause, among the duties of the Port Authority, the preservation of the rights and interests of the public in respect to the Thames, its backwaters, and its towpaths. Similar duties, he said, were laid upon the Conservancy Board as regarded the upper portion of the river.

Amendment moved—

"In page 3, line 30, after the word 'Act,' to insert the words '(*e*) preserve the rights and interests of the public in respect of the Thames, its backwaters, and its towpaths.'"—(*The Earl of Jersey.*)

LORD HAMILTON OF DALZELL pointed out that it was provided in the Bill that the Port Authority should take over the powers and duties of the Thames Conservancy Board, and any liability of the kind referred to in the Amendment would fall upon the new authority. The President of the Board of Trade had stated that he was willing to institute an inquiry into the question of public rights with regard to the matters mentioned in the Amendment. That was a promise with regard to the upper river, and on behalf of his right hon. friend, he would be willing to extend that promise to the lower river in the same sense.

*The Earl of JERSEY asked whether the noble Lord meant that, if the result of the inquiry was to show that there were certain rights that ought to be preserved, the Port Authority would preserve them.

Lord HAMILTON of DALZELL replied that if there were found to be rights which ought to be preserved, steps would be taken to have them preserved.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 3 to 5 agreed to.

Clause 6:

The Marquess of SALISBURY wished to call their Lordships' attention to one or two points in the clause. They were matters of detail. He was not sure whether the Government were really satisfied with the drafting of the clause, and if he called their attention to one or two things in it he thought it would save time because it might give them an opportunity of putting them right. The first subsection of the clause proposed that the Port Authority might make application to the Board of Trade for an Order under certain circumstances and in certain places. One was if they wanted an Order to construct works which would otherwise require statutory powers. That was simple enough, but when they came to the next case it was almost impossible to construe the Bill as it stood, because what was said was that the Port Authority might apply to the Board of Trade where the works were such in the opinion of the Board of Trade that they ought not to be constructed except under such an Order. How was the Port Authority to apply to the Board of Trade in the case of works which, in the opinion of the Board of Trade, ought not to be constructed except by an Order? How would they know what the opinion of the Board of Trade was before they made an application? It was evident there had been some confusion in the drafting, and it had got upside down. That was the first criticism he made on the drafting, and he would deal next with the substance of that point. What were the kind of works which in the opinion of the Board of Trade ought not to be constructed without an Order? He knew quite well that certain works could not be constructed without statutory power, but what works were they which depended as to whether they ought to be constructed or not upon the opinion of the Board of Trade? There was no indication in the whole length and breadth of the Bill to as to what those works were. He did not know whether it was actually proposed that there should be a kind of paternal oversight by the Board of Trade over all works proposed to be constructed by the Port Authority. If that was what was proposed he was not quite sure that it was of great public advantage. This great Port Authority, once it was established, ought to be allowed to have a free hand; he meant, of course, subject to other people's rights. Within their own rights they ought to have a free hand. The paternal care of the Board of Trade was probably a mistake. Then he would go a little further. There was another case in regard to when these applications might be made, and these Orders might be issued, when it was thought to impose charges not previously authorised. Authorised by whom? He supposed not previously authorised by the Board of Trade, but, if so, they ought to be sought, because otherwise there would be given to the Board of Trade power by these extra Parliamentary Orders to vary what had been settled by Act of Parliament, and he was quite sure the Government did not intend that. He recommended, therefore, all those points to the consideration of the noble Lord. There was just time before the Report stage to make some changes in the drafting if the noble Lord found it open to these criticisms. He would not go further into the clause because the other points would be raised by specific Amendments, but as he was dealing with the clause generally, he might say that in one respect only he could not agree with the noble Lord in charge of the Bill. He did not think that the provision at the end, which was supposed to protect private rights by laying these Orders before Parliament, was worth very much. That particular provision was a very valuable one when they were dealing with matters of public interest, but he thought it would require a very strong case indeed for Parliament to interfere in order to protect a small private owner by the cumbrous procedure of moving an Address to the Crown in consequence of injustice revealed by Papers laid upon the Table. In very few cases could that be availed of, so he did not think the provision amounted to very much. But he mainly rose in order to call attention to what he thought were mistakes in drafting. He would like to ask the noble Lord in charge of the Bill whether he would reconsider the drafting with a view to putting it right, and also to ask him specifically upon the first subsection what were the works which, in the opinion of the Board of Trade, ought not to be carried out by an Order from them.

LORD HAMILTON OF DALZELL said he would, of course, consider the points which the noble Marquess had brought forward, and if the ambiguities which the noble Marquess detected in the clause were really there in the opinion of their draftsman, they would gladly follow his advice and be thankful for the indication he had given them. He had a form of words which he thought would meet the objections, which he would hand to the noble Marquess so that he could consider them and bring the matter up again on Report.

LORD ELLENBOROUGH proposed an Amendment to insert the words "of longitude" in the subsection providing that no land should be authorised to be acquired compulsorily which was situate to the westward of the Meridian six minutes east of Greenwich. He pointed out that confusion frequently took place between minutes of time and minutes of longitude.

Amendment moved—

"In page 6, line 19, after the word 'minutes,' to insert the words 'of longitude.'"—(*Lord Ellenborough.*)

On Question, Amendment agreed to.

*THE EARL OF JERSEY, on behalf of the Earl of Meath, moved an Amendment to add a proviso that nothing in the Act should authorise the appropriation or the utilisation for the purposes of the Act of any common, or commonable land, or any recreation grounds, village green, or other open space dedicated to the use of the public, or any disused burial ground, fuel, or other allotments, or any land held on trust which prohibited building thereon. The object of the Amendment was, he said, to prevent common land or recreation grounds which were now regulated by existing legislation from being taken away compulsorily for other purposes instead of being brought before Parliament. He thought the House would understand that it was not desirable that when the public had common land or recreation grounds, and had gone to the expense of having them governed by Act of Parliament, these should be taken away without the direct sanction of Parliament.

Amendment moved—

"In page 6, line 29, after the word 'requisite,' to insert the words '(c) nothing in this Act shall authorise the appropriation or the utilisation for the purposes of this Act of any common or commonable land or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, fuel, or other allotments, or any land held on trusts which prohibit building thereon.'"—(*The Earl of Jersey.*)

LORD HAMILTON OF DALZELL said that this was a matter in which the noble Earl in whose name the Amendment stood was well-known to be interested. The noble Earl moved a simlar clause in a Bill which was lately before their Lordships' House, the Irish Housing Bill. There had been certain negotiations in regard to, and, he thought, some exception taken to, that clause in the other House, and what he would suggest would be the adding of a new subsection instead of the one the noble Earl had on the Paper and which would read: 'That nothing in this section shall, without the consent of the Board of Agriculture and Fisheries, authorise the acquisition of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public or any disused burial ground." He would hand those words to the noble Earl in order that he might consider the matter before the Report stage.

Amendment, by leave, withdrawn.

THE EARL OF CAMPERDOWN moved to omit the proviso dealing with the case of land which was taken compulsorily, on the ground that the procedure proposed was not only cumbrous, but in certain cases unsatisfactory. The proviso was that the Board of Trade might by Provisional Order make such modifications and adaptations of the provisions of the Lands Clauses Acts to be incorporated in an Order under the section as might be specified in the Provisional Order. The procedure proposed was very singular and perhaps he might be allowed very briefly to explain it. If land was required to be taken compulsorily, it might be done under the Lands Clauses Acts. Then supposing that the Board of Trade wished to modify any conditions which were found in the Lands Clauses Acts, either as to arbitration or anything else, they must introduce a Provisional Order into Parliament in which they would have to specify the particular respects in which they wished to modify the Lands Clauses Acts. That was the first procedure. After the Provisional Order had passed through and received the assent of Parliament, there came the second procedure. This was that they must go to Parliament for an Order (at least they had to make an Order which must lie on the Table of both Houses of Parliament for thirty days) which would embody the Lands Clauses Acts as modified by their previous Provisional Order. On this matter there arose two questions. What could a Provisional Order do? Would it be in the power of the Board of Trade to modify once and for all the clauses in the Lands Clauses Acts? He submitted that if it were in the power of the Board of Trade to do that by a Provisional Order, it was a most improper way of altering a Statute. But let them suppose that that was not the case, but that in each individual case the Board of Trade must apply for a Provisional Order. He did not see such a great objection to that, because in each case they would have to plead that owing to some particular reason the Lands Clauses Acts ought to be modified. But even in that case it seemed to him that this proviso was an inadvisable one. He would remind their Lordships of the history of this clause. It was not in the Bill as originally introduced. There was a clause in the Bill which empowered the Board of Trade simply by an Order to take land compulsorily. The Joint Committee declined to accept that, and modified the clause and said that it should be necessary to apply to Parliament for a Provisional Order. On that the Government said they did not propose to proceed with the clause and so they dropped it, but when it got back to the House of Commons in Committee the President of the Board of Trade introduced this very obscure clause which, to a certain extent, contradicted the decision, or went against the decision, of the Joint Committee. Therefore, it was that he proposed to omit the proviso. The result would be that if they required to take land compulsorily they would have to take it under the Lands Clauses Act *simpliciter.*

Amendment moved—

"In page 6, to leave out lines 34 to 37 inclusive."—(*The Earl of Camperdown.*)

*VISCOUNT MILNER said the Joint Committee desired that the protection of the Lands Clauses Act should be given to persons whose land was going to be taken away and it was in consequence of the Amendments made by the Committee with that object that the Government withdrew the Clause.

LORD HAMILTON OF DALZELL said the intention in introducing the clause was to simplify and cheapen the process of acquiring land as far as possible; not that they wished to cheapen it in the sense that they wanted to pay less to the owner, but that they wanted to pay less in the expense of acquiring it. They wanted to avoid as far as possible the expenditure of money in legal and other expenses necessitated by coming continually to Parliament for the acquisition of very small patches of land. That had been the principle which had guided his right hon. friend all through the discussions which had taken place on this question, and the right hon. Gentleman had, he thought, met all the opposition to this clause manifested by different parties in the fullest and most generous way. It was designed in order to get some cheapened procedure without any suspicion that they were wishing in any way to damage the interests of the owners of land. He was, however, given authority to accept the proposal of the noble Earl and to omit this proviso from the Bill. In doing so it was very much in the hope that they would not have further alterations made in the clause during its passage through the House.

On Question, Amendment agreed to.

LORD AVEBURY said he had on the Paper an Amendment to subsection (3) so as to provide that "if the order of the Board relate to authorising the purchase and the taking otherwise than by agreement of land" the Order of the Board should be provisional only and should not have effect unless confirmed by Parliament. He had put down the Amendment at the request of the London Waterside Manufacturing Association, many members of which owned various tracts of land between Barking and Tilbury. The clause as it stood entirely altered the presumption which had hitherto held good. He was not quite sure, however, how far the case was modified by the Amendment which the noble Lord has just accepted. If the noble Lord would tell him that the point raised by those he was representing was met, then he would not press the Amendment at this stage and would consider whether it ought to be brought forward on Report.

LORD HAMILTON OF DALZELL thought any reasonable objection to the clause had been met by the Amendment he had just accepted. Of course, if the noble Lord did not agree with him, it would be open to him to raise the matter again at a later stage.

LORD AVEBURY said he was quite content to accept that assurance, and would not press the Amendment. He was sure the noble Lord would not complain if he found it necessary to raise it again at a later stage.

THE EARL OF CAMPERDOWN pointed out that subsection (3) to this clause ought to come before subsection (2). The first thing was that before making an Order the Board of Trade were to appoint an impartial person to hold an inquiry, and if he reported that the land ought not to be acquired compulsorily, the Board issued a Provisional Order. That was the first procedure. But if the person appointed reported that it ought to be acquired compulsorily, then the procedure under subsection (2) followed, so that subsection (2) really came after subsection (3).

LORD FITZMAURICE said the point was a very fair one to raise, and the Government would consider it before the Report stage.

EARL CROMER asked the noble Lord in charge of the Bill whether he had considered the point raised as to providing that the "impartial person" appointed to hold an inquiry should not be in the service of the Government.

LORD HAMILTON OF DALZELL said he had an Amendment which was proposed to meet that point. It was to insert after the words "impartial person" the words "not otherwise in the employment of any Government Department." He thought that would meet the noble Earl's wishes.

THE EARL OF CROMER assented and thanked the noble Lord in charge of the Bill for the spirit in which he had met him.

LORD HAMILTON OF DALZELL intimated that he would move the Amendment on Report stage.

Clause, as amended, agreed to.

Clause 7 agreed to.

Clause 8:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 9 to 12 agreed to.

LORD NUNBURNHOLME moved an Amendment standing in the name of Lord Inverclyde. The object of the Amendment was, he said, to put on the new Authority the lighting and the beaconage in the River Thames. The shipping community of the country felt that the new Authority could carry out the lighting and the beaconage of the Thames with economy and much better than the present authority.

Amendment moved—

"To insert the following new clause: 'Provisions as to Lighting, Buoyage, and Beaconage.—(1) As from the appointed day there shall be vested in the Port Authority the management and control of the lighting, buoyage, and beaconage of the Port of London and of the estuary of the River Thames westward of imaginary straight lines drawn from the Neptune Tower on the North Foreland, in the County of Kent, to the eastern extremity of the Sunk Sand, and thence to the eastern extremity of the Gunfleet Sand, and thence to the Naze, in the County of Essex, and in respect of such area the Port Authority shall be the local lighthouse authority within the meaning of the Merchant Shipping Act, 1894. (2) The Port Authority shall within the said area have the following powers (namely): (*a*) To erect or place any lighthouses with all requisite works, roads, and appurtenances; (*b*) to add to, alter, or remove any lighthouse; (*c*) to erect or place any buoy or beacon, or alter or remove any buoy or beacon; (*d*) to vary the character of any lighthouse or the mode of exhibiting lights therein; (*e*) to maintain any lighthouse, buoy, and beacon; (*f*) To make such surveys and do all such things as are expedient or necessary for effectually lighting, buoying, or beaconing the Port of London and the estuary of the River Thames within the said area. (3) As from the appointed day the Trinity House shall cease to manage or control the lighting, buoyage, and beaconage of the Port of London and of the estuary of the River Thames within the said area, and the expense of such lighting, buoyage, and beaconage shall cease to be paid out of the General Lighthouse Fund, but nothing herein contained shall be construed to take away or limit the powers of the Trinity House as general lighthouse authority under Sections six hundred and fifty-two to six hundred and fifty-four, inclusive, of the Merchant Shipping Act, 1894. (4) As from the appointed day the property in all lighthouses, buoys, and beacons within the said area and in the appurtenances and equipment thereof, together with the freehold or leasehold lands whereon any of the same are situated, and all rights, easements, and choses in action relating thereto or enjoyed therewith which immediately before the appointed day belong to, or are vested in, or enjoyed by the Trinity House shall be, and the same are hereby transferred to and vested in the Port Authority to the same extent, and for the same estate and interest as the same were immediately before the appointed day vested in the Trinity House, and may be held, recovered, used, and enjoyed by the Port Authority accordingly. (5) In respect of any of the lighthouses, buoys, and beacons so transferred to the Port Authority, and in respect of any new lighthouses, buoys, and beacons to be hereafter erected or placed by the Port Authority, His Majesty may, by Order in Council, fix such dues to be paid to the Port Authority in respect of every ship which enters the said area, and which passes the lighthouse, buoy, or beacon, or derives benefit therefrom as His Majesty may think reasonable, and such dues shall be deemed to be local light dues within the meaning of, and shall be paid by the same persons, and may be recovered in the same manner as light dues under Part XI., of the Merchant Shipping Act, 1894. (6) For the purposes of this Act the expressions 'lighthouse' and 'buoys and beacons' shall have the same meaning as in the Merchant Shipping Act, 1894.' "—(*Lord Nunburnholme.*)

LORD HAMILTON OF DALZELL said there was several reasons, apart from the merits of the proposed new clause, why their Lordships should not agree to the proposal. In the first place, it would transfer to the Port Authority the property and rights of Trinity House without giving the latter an opportunity of being heard, as this was not in the notices of the Bill. Another reason was that when a similar clause was moved in the other House of Parliament, the Speaker ruled it out of order and he did not think their Lordships would wish to pass a clause which must inevitably meet a similar fate when it went back to the other House. He did not think that in the circumstances their Lordships would think it necessary to discuss the clause.

Amendment, by leave, withdrawn.

Clause 13:

LORD HAMILTON OF DALZELL moved an Amendment which he hoped would meet the wishes of Lord Ritchie as expressed in a proposal on a later portion of the Bill. The Amendment was to the third subsection and was intended to limit the contribution paid by the river interest towards the revenue of the Port Authority in Port dues to one three-thousandth part of the total value of the imports and exports passing beyond the seas during any one year. This might sound a rather complicated process, but it was on the same line as the provision already in the Bill which limited the contribution on account of Port dues to one one-thousandth part. The Amendment would provide that the contribution made by the river interests should not exceed one three-thousandth part. He hoped that the Amendment would, at all events, go a very long way towards removing, if it did not altogether remove, the apprehensions which noble Lords had so frequently expressed with regard to the fate of the river interests under the Bill.

Amendment moved—

"In page 19, line 15, after the word 'year,' to insert the words 'or if the amount received from Port rates on goods discharged from or taken on board ships within the premises of the docks of the Port Authority exceeds one three-thousandth part of the said aggregate value.'"—(*Lord Hamilton of Dalzell.*)

LORD RITCHIE OF DUNDEE said he was very much obliged for the concession. It did not, however, go very far to meet the wishes of those whom he had been representing, but it did, to a certain extent, meet those views. It was a small crumb of comfort for which he was very much obliged.

LORD AVEBURY asked what would happen supposing the one three-thousandth part was not enough to provide the interest on the Port Stock. Would the interest be reduced?

LORD HAMILTON OF DALZELL said the interest could, in no case, be reduced. It was a definite bargain. If there were not sufficient funds it would be necessary for the Board to go to Parliament again and to have the maximum scale revised.

LORD AVEBURY asked what, in that case, became of the concession? Although it was reduced in the first instance, if there was not enough money to pay the interest on the Port Stock, then the river would have to contribute as much as before.

*VISCOUNT MILNER said that, as he understood it, there was no guarantee. The promoters of the Bill believed, and he thought they were right, that with the powers of taxation contained in the Bill the Port Authority would be able to meet the interest on the Port Stock. There was an absolute limit under this clause to what it could raise in dues on goods, and now there was a double limit because it could only raise something over £300,000 in all, and it could only raise about £100,000 or a little over from the river interests outside the docks. That was an absolute limit and was a perfect protection to these interests. They could not be taxed any more unless a fresh Act was passed. Until a new law was passed their liability appeared to him to be absolutely limited by the clause which the Government had brought in and which certainly ought to be a great reassurance to the persons whom the noble Lord represented.

LORD AVEBURY said the question was a complicated one, and it was very desirable that the matter should be made perfectly clear. The noble Lord in charge of the Bill said the interest upon Dock Stock could not, under any circumstances, be reduced, but Lord Milner had said that the contribution from the river could not, under any circumstances, be increased. He hoped the amount might be sufficient, but supposing it were not, what would happen? Either the interest on the Port stock must be reduced or somebody must find more money, and he did not quite understand how the matter stood.

LORD HAMILTON OF DALZELL said if there was not enough money, any owners of the £500,000 of Dock Stock could apply to the High Court for the appointment of a receiver and manager of the Port Authority's property.

THE EARL OF CAMPERDOWN said that under another clause the Port Authority had, at the beginning of every year, to submit an estimate of their receipts and expenditure, and if the Board of Trade found the receipts were not sufficient to meet the expenditure they were empowered to make higher rates.

LORD FITZMAURICE thought that clause covered the point. The point raised was one which contemplated, no doubt, a state of things which theoretically might take place, but the Government believed that the calculations they had made, as stated on the Second Reading, were abundantly clear, and that there was a sufficient margin. In connection with this matter, he would remind the Committee of what the noble Viscount, Lord Milner, had previously stated, namely, that in all this mass of calculations, they must take into account the great undeveloped property possessed by the Port Authority. That property represented a value which the Government believed would go on increasing every year.

THE MARQUESS OF SALISBURY was confident that the noble Lord in charge of the Bill was quite right. If the Amendment were put in it would be impossible to raise the maximum exacted from the river interest above this one three-thousandth part of the aggregate amount. It was an absolute bar, and the river interests might be quite confident that short of another Act of Parliament, nothing could exact more money from them than that fraction represented.

LORD FITZMAURICE said that no doubt if there was a deficit money would have to be found somehow, but the interests alluded to were protected from being charged in any way above that amount.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 14 to 18 agreed to.

Clause 19:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clause 20:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 21 and 22 agreed to.

Clause 23:

THE EARL OF CAMPERDOWN moved to insert a new subsection providing that an Order made by the Board of Trade under the preceding section should not take effect until a draft thereof had lain for thirty days on the Table of both Houses of Parliament, and if either House during those thirty days presented an Address to the Crown against the draft no further proceedings should be taken thereon, but without prejudice to the making of a new Order. The noble Earl said the clause concerned was a very important one. It gave power to the Board of Trade to increase dues. The Port Authority was in every case to submit to the Board of Trade an estimate of their receipts and expenditure, and if the Board of Trade were satisfied that the receipts were likely to be insufficient to meet the charges they might make an Order requiring the Port Authority to levy any additional or increase any existing dues which they were authorised to levy to such an extent and for such period as the Board might specify. Therefore, not only was it made legal for the Board of Trade to increase the dues but they might do so for such period as they might specify. That meant that although an estimate was for the year only, the Board of Trade might say that additional dues were to be paid for two, three, or four years, or whatever period they might specify. That, of course, was giving to the Board of Trade a very large additional power indeed. It seemed to him that this was one of the cases in which the Order of the Board ought to be laid on the Table of both Houses of Parliament, and be subject to an Address. What he was pressing was in exact conformity with Clause 6. Clause 6 said that where any works were proposed, or where it was proposed to make any additional charge, any Order made under the section must be laid on the Table of both Houses of Parliament. Much more ought to be done in this instance, because this was a question of imposing additional dues, and, as they knew, the river traders had greatly complained that they were being hardly dealt with in the Bill and that they had not been heard. If in any particular year they were going to authorise the Board of Trade to raise additional dues, clearly the persons who were to be affected ought to have an appeal of some sort, and it seemed to him that the appeal given by laying the Order upon the Table of both Houses of Parliament was the least they could do in that direction.

Amendment moved—

"In page 28, line 5, after the word 'law,' to insert the following new subsection: '(3) An Order made by the Board of Trade under this section shall not take effect until a draft thereof has lain for thirty days during the session of Parliament on the Table of both Houses of Parliament, and if either House during those thirty days presents an Address to His Majesty against the draft, no further proceedings shall be taken thereon, but without prejudice to the making of a new Order.'"—(*The Earl of Camperdown.*)

LORD HAMILTON OF DALZELL said he quite understood the noble Earl's point, but he appeared to have forgotten a very important limitation which was imposed by subsection (2) of Clause 13 By that subsection the maximum rates which might be levied upon goods in the Port would have to be fixed by a Provisional Order and any increase in dues which the Board of Trade might sanction under the section to which the noble Lord had alluded must keep within the maximum which had already been fixed by Parliament. There was no power whatever in the clause to vary the maximum dues as fixed by Provisional Order. He thought that that should remove the apprehension of the noble Earl.

THE EARL OF CAMPERDOWN said he was afraid that that did not touch his point at all. He quite agreed that under Clause 23 as it stood there would be no power to the Board of Trade to exceed the maximum, but within the maximum the Board of Trade might charge more or less as it saw fit. It was to prevent an additional charge being imposed upon either the directors of the docks or the river traders that this ought to be laid on the Table of both Houses of Parliament. River traders had complained very much and had said that their interests had not been duly attended to, that they had not been heard, and that they had no right of appeal. What could be the objection to saying that this was to be laid upon the Table of both Houses of Parliament? If it were right in Clause 6 it was much more right in the present case. The mere question of a maximum did not touch the point at all.

LORD HAMILTON OF DALZELL said there was a grave question to which he had not alluded before but which would certainly arise under the proposed subsection. Parliament might possibly abandon the habit it had developed of late years and might not sit continuously, and there might be a period of six months during the year when Parliament would not be sitting, and the proposal of the noble Earl might act in an extremely inconvenient way in that case.

THE EARL OF CAMPERDOWN could not admit that the argument of inconvenience applied. It was a much more important thing than inconvenience. The question was whether the Board of Trade was to have power to impose additional charges to those which were being levied now. That was the point, and it seemed to him that the clause, as it now stood, gave very large powers to the Board of Trade. It gave the Board the power of making additional charges, and there ought to be some opportunity of protesting against those charges, whether by the dock owners, the river traders, or any persons who were affected. He objected to making Boards independent of Parliament. They had had an instance in connection with the Old-Age Pensions Act. It was only because it was necessary that the Orders in respect of that Act should lie on the Table that they had had an opportunity of stopping what clearly was illegal. In this case a great injustice might be done.

THE MARQUESS OF SALISBURY said that as he understood it the rates to be charged were secured by Provisional Order under Section 13. They were maximum rates, and the effect of fixing those maximum rates by a Provisional Order was that the Port Authority could charge anything up to the maximum and there was no necessity to go to Parliament again so long as they kept within the maximum. But the Port Authority might elect not to charge up to the maximum, and the result might be that persons to whom they owed money would not be paid. Then this clause gave power to the Board of Trade not to vary the decision of Parliament, but to compel the Port Authority to charge up to their full powers in order to satisfy their creditors. That did not seem to him to trench upon the prerogatives of Parliament, because it was all within the maximum which the Provisional Order had laid down. If that were so, he did not think that even the greatest purist need find any fault with the clause. Provided always it did not give to a Department power to vary the decision of Parliament, he did not think they need question it. Where they had proposals to vary the decision of Parliament he was the first to protest, but as he understood the clause he did not think that objection applied in this case.

LORD FITZMAURICE said that, putting aside the technical point of the relative position of that and the other House, the powers which the Board of Trade had were not nearly so extensive as they might imagine from the rather alarming and a little exaggerated language of the noble Earl. Those powers could only be used within the maximum laid down by the Act and the maximum was specially limited with a view to meeting a possible deficiency. There was no power given to the Board of Trade to act as a sort of commercial Cæsar and order arbitrarily a great increase of these rates which had been determined by Parliament to be kept within certain limits. The rates could only be raised within those limits, and for a specific purpose, namely, to meet a deficiency. If the words as to a deficiency were not sufficiently clear or accurate, the Government were quite willing to consider the point upon Report, but he was bound to say that the words appeared to him to be quite sufficient for the purpose.

THE EARL OF CAMPERDOWN said there could be nothing objectionable in the Order lying on the Table, but it would have the result that there would be an appeal for any persons who felt aggrieved.

LORD COURTNEY OF PENWITH said there was precisely similar power vested in the same Department in respect of another part of their duties, and it worked with perfect ease and without any complaint. In respect to light dues the Board of Trade had power within defined limits to increase or lower the light dues upon shipping, and it worked without any difficulty.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 25 and 26 agreed to.

Clause 27:

THE EARL OF CAMPERDOWN moved to amend subsection (1) so as to provide that the Port authority should "forthwith" submit to Parliament reports as to attempts to settle differences between persons interested, and the Port authority instead of "from time to time," and should submit a special Report with regard thereto instead of reporting as they thought fit. The noble Earl said the Board of Trade in this clause was attempting to make an arrangement to settle differences. Under the clause as it stood it seemed that unless they thought fit to submit anything to Parliament nothing could make them do so. Would it not be better to say that they should forthwith submit to Parliament a special Report in regard thereto?

Amendment moved—

"In page 31, line 9, to leave out the words 'from time to time,' and to insert the words 'forthwith,' and to leave out from the word 'such' to the word 'fit' in line 10, and to insert the words 'a special Report with regard thereto.'"—(*The Earl of Camperdown.*)

LORD HAMILTON OF DALZELL said the effect of the Amendment would be that every trivial complaint which might possibly be made to the Board of Trade without any foundation whatever, would have to be made the subject of a special Report to Parliament. He thought that would cause an enormous amount of trouble not only to the officials of the Board of Trade, but also to their Lordships, and that the words as they stood gave a very sufficient protection.

THE EARL OF CAMPERDOWN directed the noble Lord's attention to the last two lines of the clause. The Board of Trade, if unable to settle a difference, was to make such order as in their opinion the circumstances required. That gave the Board of Trade absolute and full authority over the whole tenancy.

LORD FITZMAURICE said that if the noble Earl would consult other Acts of Parliament bearing on this question he would find that if a conciliation clause was to be worth anything at all some power and authority must be vested in the Government Department unless they were going to relegate all these things to the expensive proceedings in a Court of Appeal. The whole object of these conciliation and arbitration clauses was to avoid litigation and to get a cheap, easy, and rapid tribunal for the benefit of the parties concerned. The only alternative was to relegate everything to a Court of Law where, no doubt, after great delay, and some expense, the parties might possibly get a legal decision of very great value. That was not the intention of this Bill. It they took the analogy of the Education Department it would be found that that Department had an enormous jurisdiction which was very carefully and beneficially exercised in matters of what might be called conciliation.

THE EARL OF CAMPERDOWN said that supposing he were one of the parties to a difference and wished to go to law on the matter, under this clause he would be debarred from appealing to a Court. There was power given to the Board of Trade to say "We will try and settle the matter for you, but if you will not agree we will settle it for you compulsorily, and you must put up with what we say."

LORD CLIFFORD OF CHUDLEIGH asked whether any obligation was imposed upon the Board of Trade to report from time to time.

LORD HAMILTON OF DALZELL said the Board of Trade were certainly to report. The nature of the Report remained within their discretion.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 28 to 30, agreed to.

Clause 31:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 32 to 37, agreed to.

Clause 38:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 39 to 48 agreed to.

Clause 49:

Amendment moved—

"In page 39, lines 10 and 11, to leave out the words 'first day of January,' and to insert the words 'thirty-first day of March'; in line 11, after the word 'such,' to insert the word 'earlier or.'"—(*Lord Hamilton of Dalzell.*)

On Question, agreed to.

Clause, as amended, agreed to.

Clause 50:

Amendment moved—

"In page 40, line 28, after the word 'schedule' to insert the words 'Provided that the repeal of the words in Section seven of the Thames Conservancy Act, 1905, mentioned in that schedule which limit the period during which the increased duties of tonnage authorised by that Act may be demanded and received shall take effect as from the first day of January 1909, and notwithstanding that the powers of the Conservators are not transferred to the Port Authority until a later date.'"—(*Lord Hamilton of Dalzell.*)

On Question, agreed to.

Clause, as amended, agreed to.

Clauses 51 to 56 agreed to.

Clause 57:

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clauses 58 to 63 agreed to.

First Schedule:

THE EARL OF CAMPERDOWN moved an Amendment to provide that the first Port Authority nominated by the Board of Trade should go out of office on 1st April, 1911, instead of on that date in 1913. The noble Earl said their Lordships would remember that the first Port Authority was to be nominated by the Board of Trade. The appointed day was 31st March, and therefore, the first authority would enter upon office on 1st April, 1909, and the clause as it stood proposed that they were to continue in office until 1913, a period of four years. The normal term of office of a Port Authority was to be three years, and therefore, although the authority was to be entirely changed the first body which was to hold office during the transition period was actually to hold office for a year longer than their successors would do. He thought some very good reasons ought to be given for that. When they were making a change of local government or anything else the persons who were in office at the time of transition continued in office for a short period and then handed over the office to their successors; but these gentlemen were to continue in office for four years. What had they got to do? On 1st April, 1909, they entered upon office, and within six months they had to prepare and submit a schedule of rates. That must be done by 1st October. Then the Board of Trade had to insert those rates in a Provisional Order and obtain the consent of Parliament. How long should they be given for doing that? They received the schedule on 1st October, and surely by the 1st August of the next year they would have had plenty of time to pass the schedule and to get the Provisional Order. Within thirteen weeks of that time the schedule came into force. What reason could there be for the Authority continuing in office for nearly three years after that? He supposed he would be told that it was necessary to prepare a register, and that until persons had paid dues they could not be placed upon the register. But what was going to happen during the next two years? There would surely be people paying dues, and if so, why was it necessary that they should have to wait up to the year 1913? They would have plenty of time if they were given only until 1st April, 1911. He thought they would all be of opinion that in establishing a new authority it was desirable that that authority should take up its duties as quickly as possible.

Amendment moved—

"In page 56, line 24, to leave out the word 'thirteen,' and to insert the word 'eleven.'"—(*The Earl of Camperdown.*)

LORD HAMILTON OF DALZELL said that in the first place he did not admit that the authority which would be appointed under the provision for the appointment of members who were afterwards to be elected by the Board of Trade would differ very materially in its composition from the body that would be elected subsequently. These gentlemen were to be appointed by the Board of Trade after consultation with the various interests involved, and he thought that was a matter in which the Board of Trade might receive a little confidence that they would appoint men who would be really representative of those interests. Therefore he did not think that any serious harm was likely to arise from those gentlemen continuing in office for four years instead of three, but that of course was not the reason for the proposal in the schedule. The reason was that if they laid down in black and white in the Bill that the election had to take place in the year the noble Earl mentioned, 1911, they would certainly find that was impossible. They did not believe that the election could take place on 1st April, 1912. The Port Authority came into existence on 31st March, 1909. They thought it would not be unreasonable to give them two or three months to settle down before they actually commenced framing their register of payers of dues. They thought it was likely that the appointed day for that purpose would probably be 1st June, and from that date the six months would count. That would bring them up to 1st January, 1910. Then the register was to be left with the Board of Trade who had to examine it and submit it to Parliament. That was not likely to be done before 1st April. Then that Provisional Order had to come before Parliament. They had only consumed a week or two of Parliamentary time up to now before the order came before Parliament. It then had to be considered, and it was highly probable that all matters connected with docks being very contentious it would not pass into law before 1st September, 1910. The Port rates would commence on 1st December of that year, probably, and the completion of the first year of those rates which was necessary before they could even begin to form a register of payers of dues would not be completed until 1st December, 1911. Then there would be the work of forming a register, and it seemed hardly reasonable to suppose that that could be done before 1st April, 1912. That register had to be carefully scrutinised by the Board of Trade, and it had to be seen that the different interests in the river, in the docks, in regard to shipping and in regard to merchants each received proper representation. Time must be taken over that, and provision was also made for the register being varied by Provisional Order. He did not think all that could possibly be done with any degree of certainty under another year, which brought them to 1st April, 1913.

THE EARL OF CAMPERDOWN said he did not mind altering his date to 1912, but he really thought their Lordships had never heard of a case in which a body took four years to prepare for its successor.

LORD HAMILTON OF DALZELL said the Government could not consent to the modified proposal.

On Question, Amendment negatived.

Drafting Amendment agreed to.

First schedule, as amended, agreed to.

Second schedule agreed to.

Third schedule:

*LORD DESBOROUGH, on behalf of Lord Heneage, moved to amend the schedule by inserting a provision that one of the two conservators to be appointed by the Board of Trade after consultation with such persons and associations concerned in the use of the river as a place of recreation as the Board might think fit should be specially selected for his knowledge and experience in Thames Fishery Preservation. The noble Lord referred to the enormous number of bank anglers whose legitimate recreation should be looked after. It was a very healthy recreation and for the most part innocuous for the fish. It was important that somebody with knowledge of fish culture should be represented on the Board.

Amendment proposed—

"In page 63, line 38, after the word 'fit,' to insert the words 'and one of such two shall be specially selected for his knowledge and experience in Thames fishery preservation.'"—(*Lord Desborough.*)

LORD HAMILTON OF DALZELL pointed out that the provision of the Bill was that two appointments made by the Board of Trade were to be made after consultation with persons using the river as a means of recreation. This was a new provision as far as the Thames Conservancy was concerned, for although the rowing interest had been very efficiently represented on the Thames Conservancy of late years that has not been done officially by an Act of Parliament. What was proposed to do was to consult the great rowing clubs, the persons who held regattas, and the members of angling associations, and he hoped the noble Lord would be content with that assurance without asking them to be absolutely bound down to a certain appointment.

Amendment, by leave, withdrawn.

Third and fourth schedules agreed to.

Fifth schedule:

*THE EARL OF JERSEY moved to amend the schedule by extending the area of control of the Thames Conservancy from the boundary line between the parishes of Teddington and Twickenham to a point 100 yards above the south-west corner of the entrance to the

Brentford Docks. The noble Earl said the Amendment was of considerable importance to the town of Richmond. The object of the Bill was to create a Port Authority for London, and to look after the commercial undertakings along the bank of the river. There were no docks or quays of any kind higher up the river than Brentford. The town of Richmond was very much afraid that if the control of the river in front of Richmond were handed over to the Port Authority their particular interest in the river would not be looked after so well as by the Thames Conservancy. He could not imagine that docks or quays or railways were likely to be made between Richmond and Teddington Lock, but at the same time this Bill would give the Port Authority the power to construct such works. He admitted his Amendment came rather late in the day. The Corporation of Richmond ought to have moved earlier in the matter, but after all there was great justice in their claim that this portion of the river, not needed for commercial purposes but for purposes of amusement, recreation, and health, should be under the Thames Conservancy and not under the authority which was solely to deal with commercial matters. The Amendment would mean that the Thames Conservancy would come down to 100 yards the landward side of Brentford, below that and were the docks and quays which would be under the Port of London Authority.

Amendment moved—

> "In page 65, line 6, to leave out the words 'the boundary line between the parishes of Teddington and Twickenham,' and to insert the words 'at a point situate one hundred yards or thereabouts above the south-west corner of the entrance to the Brentford docks.' "—(*The Earl of Jersey.*)

LORD HAMILTON OF DALZELL said this matter was never raised before the Joint Committee. He did not, however, press that so much against the inhabitants of Richmond, but it would be unfair to alter the scheme now, because the whole of the financial arrangements as between the Thames Conservancy and the Port Authority had been undertaken on the understanding that the river was to be divided at the point set out in the Bill.

*THE EARL OF JERSEY asked whether the noble Lord could tell them whether the duties and obligations under the Richmond Bill of 1890 would be carried out by the Port of London authority, or whether any of the provisions of that Bill were repealed by the present Act?

LORD HAMILTON OF DALZELL assured the noble Lord that every general obligation of the Thames Conservancy Board was also taken over by the new Port Authority, and there would be no change of the law in that respect.

Amendment, by leave, withdrawn.

Schedule agreed to.

LORD HAMILTON OF DALZELL: I propose with your Lordships' permission to put down the Report stage of this Bill to-morrow.

THE MARQUESS OF SALISBURY: Of course, we have no objection to that course if it suits the other arrangements of business. The noble Lord has been very kind in promising to consider certain points on which he is going to move Amendments to-morrow. What we on this side would like to know is shall we be able to see these Amendments in print, or will they be manuscript Amendments?

LORD HAMILTON OF DALZELL said he would endeavour to have them in print.

THE MARQUESS OF SALISBURY: I am sure the noble Lord will do his best, and perhaps the authorities of the House will be a little more rapid in printing than is sometimes the case.

LORD HAMILTON OF DALZELL: If I am able to expedite it I will. I should be glad to learn whether it would meet the convenience of the House if I took the Third Reading to-morrow.

*THE MARQUESS OF LANSDOWNE: We raise no objection.

Standing Committee negatived: The Report of Amendments to be received to-morrow, and Standing Order No. XXXIX. to be considered in order to its being dispensed with. Bill to be printed as amended. (No. 259.)

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Commons' Amendments to Lords' Amendments and Commons' reasons for disagreeing to certain of the Lords' Amendments considered (according to order.)

LORD DENMAN: I think it would perhaps be for the convenience of the House if I state that after consultation with noble Lords opposite we have settled all except one of the outstanding points that were at issue between us, and I think if it will meet with the approval of the noble Viscount opposite, Lord Midleton, whose Amendment is first dealt with, I will formally move the Amendments as they ought to be read into the Bill.

Lords' Amendment—

"In page 4, line 10, to leave out the words 'compulsory purchase,' and to insert the words 'acquisition.'"

LORD DENMAN: I beg to move that this House do insist on its Amendment.

On Question, agreed to.

Lords' Amendment—

"In page 4, line 14, after the word 'Board to insert the words '(*a*) If land is not proposed' to be taken compulsorily; or (*b*) if, although land is proposed to be taken compulsorily, the Local Government Board, before making an absolute order, are satisfied that notice of the draft or Provisional Order, as the case may be, has been served as required as respects a Provisional Order by subsection (5) of Section 8 of the Act of 1890, and also that the draft or Provisional Order, as the case may be, has been published in the *Dublin Gazette*, and that a petition against it has not been presented to the Local Government Board by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice, or having been so presented, has been withdrawn.'"

The Commons disagreed to these Amendments for the following reason: Because it is undesirable to restrict the operation of an Order of the Local Government Board under the clause.

LORD DENMAN: I move that this House do not insist on its Amendment, with which the Commons have disagreed, but inserts in lieu thereof—

"In page 4, lines 5 and 6, to leave out the words 'an order of the Local Government Board' and to insert the words 'where a petition is presented by a local authority to the Local Government Board for an order.'"

"In page 4, to leave out lines 12, 13, and 14, and to insert the words 'The provisions of Section 6 of the Labourers (Ireland) Act, 1906, shall, with the necessary modifications, apply in the case of the petitioners to such proceedings and orders therein in like manner as they apply in the case of an improvement scheme under the Labourers (Ireland) Acts, 1883 to 1906. The Lord-Lieutenant in Council may make such adoption of those provisions as appear to him to be necessary or expedient for carrying this section into effect.'"

"In page 4, line 15, to leave out subsection (2)."

On Question, agreed to.

Lords' Amendment—

"In page 4, line 31, after the word 'published,' to insert the following new subsections: '(4) If an order of the Local Government Board, which, if no petition were presented, would take effect without confirmation, is presented against, the Local Government Board may, if they think fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order. (6) The provisions of this section shall extend to orders of the Local Government Board made after the passing of this Act upon petitions of local authorities presented before the passing of this Act.'"

The Commons proposed to amend this Amendment by leaving out subsections (4) and (5).

LORD DENMAN: I beg to move that this House doth agree with the

Commons in their said Amendment to the Lords' Amendment, that subsection (6) be struck out and in lieu thereof, the following words be inserted after the word "published" in line 31, "The provisions of this section shall extend to all petitions which are pending at the passing of this Act."

On Question, agreed to.

Lords' Amendment—

"In page 7, line 11, after the word 'Woods,' to insert the words '(4) Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, or any land held on trusts which prohibit building thereon, or held in trust for some charitable purpose, or for some particular public purpose specified or defined, as distinguished from the general purposes of a municipality or township or the general benefit or advantage of the inhabitants thereof.'"

The Commons proposed to amend this Amendment by leaving out the word "Act" in line 1 and inserting the word "section," and by leaving out from the word "ground" in line 5 to the end of the subsection.

Lord DENMAN: I beg to move that this House doth agree with the Commons in the said Amendment to the Lords' Amendment. The subsection, as amended, will read—

"(4) Provided that nothing in this section shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground."

On Question, agreed to.

Lord ATKINSON: I now beg to move the insertion of certain words in lieu of the words struck out by the Commons at the end of subsection (4) of Clause 13 which was inserted by the Lords. The original Amendment absolutely prohibited the local authority from parting with lands held in trust, but this will enable them to do so provided they get the sanction of the Court of Chancery.

Lord Denman.

Amendment moved—

"To insert in lieu of the words struck out by the Commons, the following words, 'Or, without the sanction of the Chancery Division of the High Court of Justice in Ireland, obtained in manner hereinafter provided, or any land held in trust for a specific charitable purpose to which it is reasonably capable of being effectively applied, or held in trust for a particular and specific public purpose to which it is reasonably capable of being similarly applied. The said Chancery Division on a petition being by the local authority presented to it in manner prescribed by rules, which the said Division is hereby authorised to make in that behalf, may make an order sanctioning the proposed appropriation or utilisation of the said land so held for charitable or public purposes as aforesaid, or of a part thereof, on being satisfied that the objects of the trusts on which the said land is held will not be thereby substantially defeated or prejudiced.'"—(*Lord Atkinson.*)

Lord DENMAN: I am afraid I am obliged to oppose this Amendment, and I really hope the noble and learned Lord will not feel compelled to press it. I think it will be in the recollection of the House that the Government have given way on almost every point that has been at issue on this particular Bill, and, therefore, I hope the House will not consider it necessary to pass into law the Amendment which the noble and learned Lord proposes. In this matter again I cannot help feeling that I am placed at a great disadvantage, because it is almost purely a legal question and one with which only lawyers can deal. But I am bound to say that to the ordinary lay mind the Amendment which the noble and learned Lord desires to propose at this stage does appear to be of a rather formidable character. I leave out any mention of its length, but will go on to read one or two things it says. For instance it says—

"Obtained in manner hereinafter provided, of any land held in trust for a specific charitable purpose to which it is reasonably capable of being effectively applied, or held in trust for a particular and specific public purpose to which it is reasonably capable of being similarly applied."

That may be perfectly clear to the legal mind, but to the lay mind I submit it is absolutely perplexing. Then you will notice at the end of the Amendment—

"The objects of the trusts on which the said land is held will not be thereby substantially defeated or prejudiced."

It must be fair to ask what is "substantially prejudiced."

LORD ATKINSON: It is a common word. It means in this case substantially injured or damaged.

LORD ASHBOURNE: It makes the provision more elastic.

LORD DENMAN: I pass from these extracts and come to the effect of the Amendment, which will be this. The local authority, in order to allow any land to be taken out of trust for the purpose of erecting workmen's dwellings, may be obliged to face all the difficulties which will be imposed by the Amendment of the noble and learned Lord of coming to the Court of Chancery in order to obtain the sanction of the Court. Is it reasonable to suppose that any local authority would face such an undertaking as that? Really the effect of this Amendment will be to render the entire clause nugatory, and I am instructed to say—I do not say it is my own opinion—that it would be far better to omit the clause altogether than to insert the Amendment, because it would really be entirely superfluous if the Amendment were put in. I therefore hope that the noble and learned Lord may not think it necessary to press his Amendment at this stage.

LORD ATKINSON: I regret to say I am entirely unable to agree with the appeal the noble Lord has made to me. He says that this Amendment would practically destroy the clause. I should not be sorry if it did; but that is not my object. There was a clause exactly similar to this introduced by the Government into the Town Planning Bill for England, and it was so bad that it was withdrawn by the President of the Local Government Board. The clause as it originally stood in the Bill was in my judgment iniquitous. To say that any local body which holds land upon trust, often bound by statute, may, with the mere consent of the Local Government Board, divert it altogether from the purpose for which it was entrusted to them is to enable the local authority to become fraudulent trustees. That is a short way of describing the position, but it is a true one. My Amendment does not prohibit them from alienating land held in trust where they can get the consent of the Court of Chancery to do so, provided they do not interfere substantially with the purpose for which the land was originally entrusted to them. There are many instances I could give where land has been entrusted to local authorities for the purpose of public gardens, recreation grounds, open spaces, and so forth. It would be shameful if they were allowed to cover all that land with workmen's houses, though I admit it might be reasonable for them to take away an acre or two acres, if they were absolutely necessary, to carry out some particular scheme. I am willing to give them the greatest possible latitude consistent with protecting the interests of the public, and it is in order that they may not substantially interfere with the trust that has been imposed on them that I have framed this Amendment.

LORD DENMAN: I note something which fell from the noble and learned Lord, and I will see if I can take him at his word. He said he would not be sorry if this clause were omitted from the Bill altogether. I will ask him then in that case whether he will consent to the omission of the clause altogether.

LORD ASHBOURNE: It could not be done.

LORD DENMAN: I have taken advice on the point.

LORD ASHBOURNE: How can it be done? Both Houses have agreed to the clause down to a particular point, and we are only at liberty now to deal with this Amendment. We cannot clear ourselves of the part of the clause agreed upon by both Houses.

THE LORD CHANCELLOR: Surely it is quite competent to do so. What has happened is that the House of Lords proposed to amend the clause in the Bill. The House of Commons subsequently proposed to leave out part of the Amendment, and you have agreed to that. You can surely go a step further by leaving out the whole of the clause.

Lord ATKINSON: I should like to point out that my noble frend Lord Meath moved an Amendment to the clause as it originally stood in the Bill. That Amendment was accepted, and it has been agreed to by the House of Commons. I should be quite willing, so far as my own Amendment is concerned, to see the clause dealt with in the manner suggested by the noble Lord opposite.

Lord DENMAN: My only object on behalf of the Government is to prevent what we consider a purely superfluous clause being put into an Act of Parliament. I have taken advice on the subject. I have consulted the clerks at the Table and other competent authorities, and I am told that it is perfectly possible to omit the clause altogether at this stage if the House consents to do so. Therefore, I think that would really be the simplest course for us to adopt.

***The Marquess of LANSDOWNE**: The House is placed in a position of some difficulty, and I should welcome any means of extricating ourselves from it. I understand the suggestion now made by His Majesty's Government is that the difficulty should be solved by getting rid of the whole of Clause 13. Some doubts are raised as to the regularity of the procedure, but if His Majesty's Government are satisfied on the point and will recommend that this course be taken on their responsibility, we shall raise no objection on this side.

Amendment, by leave, withdrawn.

Lord DENMAN: Before moving to omit the clause, are we not obliged first of all to agree with the Commons' Amendment?

The LORD CHANCELLOR: I do not think we are bound to do so at all. It is sufficient for us to move that we now omit the clause.

Moved, "To leave out Clause 13."

On Question, agreed to.

Lords' Amendment—

"'In page 7, line 15, after '1890,' to insert the words 'of any town, the population of which, according to the last census exceeds two thousand.'"

The Commons disagreed to this Amendment for the following reason: Because it is undesirable to limit the powers of dealing with unhealthy dwelling-houses in towns whose population exceeds two thousand.

Moved, "That this House doth not insist on its Amendment with which the Commons have disagreed."—(*Lord Denman.*)

On Question, agreed to.

A Committee appointed to prepare a reason for the Lords insisting on one of their Amendments: The Committee to meet forthwith.

SUMMARY JURISDICTION (SCOTLAND) BILL.

House in Committee (according to Order).

Lord HERSCHELL: The whole of the Amendments I have to move are of a drafting or trivial nature with one exception, namely, the Amendment to Schedule A which has been agreed upon with the parties concerned.

Drafting Amendments agreed to.

Amendment moved—

"In Schedule A, page 35, after line 29, to insert the words '40 & 41 Vict., c. 193, the Greenock Police Act, 1877, Sections 136, 243, 244, and 257.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Standing Committee negatived. The Report of Amendments to be received to-morrow, and Bill to be printed, as amended.

LOCAL GOVERNMENT (SCOTLAND) BILL.

House in Committee (according to Order).

Clauses 1 to 10 agreed to.

Clause 11:

Drafting Amendments agreed to.

LORD HERSCHELL said the proposed new subsections were put in at the instance of the Post Office.

Amendment moved—

"In page 10, after line 30, to insert two new subsections: '(7) Nothing in this section contained shall authorise any ferry rates or tolls to be demanded or received by a county council for the conveyance of any person when on duty in the service of the Crown or any Government Department, or of any goods for the service, or being the property of the Crown, or any Government Department, or of any postal packets within the meaning of the Post Office (Protection) Act, 1884. (8) Section 28 of the Harbours, Docks, and Piers Clauses Act, 1847, shall be incorporated in this section.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 12 to 14 agreed to.

Clause 15:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 16 to 25 agreed to.

Clause 26:

LORD HERSCHELL: I have now to move a series of Amendments to Clause 26. They simplify the powers of the county councils and add to certain powers which they possess in regard to machinery in quarries. They were suggested by Lord Camperdown.

Amendments moved—

"In page 17, line 8, after the word 'quarry,' to insert the words 'or for carrying away materials therefrom and power to store materials therein.'"

"In page 17, line 17, after the word 'used,' to insert the words 'or materials are stored as aforesaid.'"

"In page 17, line 20, to leave out the word 'them,' and to insert the words 'such engines appliances, or apparatus, or to store such materials.'"

"In page 17, line 21, after the word 'used,' to insert the words 'or materials stored.'"

"In page 17, line 23, to leave out the words 'their use,' and to insert the words 'the use of such engines, appliances, or apparatus, or the storing of such materials.'"

"In page 17, line 25, after the word 'use,' to insert the words 'or materials are stored.'"

"In page 17, line 27, to leave out the words 'their further use,' and to insert the words 'the further use of such engines, appliances, or apparatus, or the storing of such materials.'"—(*Lord Herschell.*)

On Question, Amendments agreed to.

Clause, as amended, agreed to.

Clause 27 agreed to.

Clause 28:

LORD HERSCHELL in moving an Amendment with regard to the fees payable under the Petroleum Acts, said that owing to the licensing powers under the Petroleum Acts being transferred from the justices of the peace to the county council clerks of the peace were deprived of certain fees to which they had been entitled, and this Amendment provided that they should be compensated for them.

Amendment moved—

"In page 18, line 16, at end of line to insert the words 'and all fees payable in respect of the powers and duties so transferred shall be pabable to the county council. Section 120 of the principal Act which relates to compensation to existing officers shall apply in the case of clerks of the peace affected by this subsection.'"—(*Lord Herschell.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 29:

LORD HERSCHELL moved two Amendments inserted at the instance of the Office of Works, who, he said, were desirous to bring in land as well as structures in the case of Crown lands, as was the case in England.

Amendments moved—

"In page 18, line 19, after the word 'work,' to insert the words 'and all land.'"

"In page 18, line 22, after the word 'any,' to insert the word 'land.'"—(*Lord Herschell.*)

On Question, Amendments agreed to.

Clause, as amended, agreed to.

Standing Committee negatived. The Report of Amendments to be received To-morrow, and Bill to be printed as amended.

PREVENTION OF CRIME.

Amendments reported (according to order).

Earl BEAUCHAMP: There are two small Amendments which I wish to move consequent upon what took place in this House last night, and I think your Lordships will see that neither is of great importance. The first Amendment, in Clause 6, page 5, line 3, is meant to deal with the case of the Borstal institutions. The point dealt with was raised by the Lord Chief Justice, Lord Alverstone, and this Amendment has been settled upon by agreement between him and the Home Office. I therefore move.

Amendment moved—

"In page 5, line 3, after the word 'recall,' to insert the words 'and that a person so recalled shall not in any case be detained after the expiration of the said period of six months supervision.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Earl BEAUCHAMP: The only other Amendment is consequent upon an Amendment moved by Lord Ashbourne last night and which was agreed to by His Majesty's Government, assimilating the procedure in Scotland to the procedure in England. Under the circumstances the subsection dealing with Scotland becomes unnecessary.

Amendment moved—

"In page 11, line 27, to leave out subsection (5)."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Then Standing Order No. XXXIX., considered (according to Order), and dispensed with. Bill read 3ª with the Amendments, and passed, and returned to the Commons.

BUXTON CHARITY BILL.

LONG ASHTON CHARITY BILL.

ABBOTS BROMLEY CHARITY BILL.

Read 3ª, and passed.

CROFTERS COMMON GRAZINGS REGULATION BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

Lord HERSCHELL: This is a very short Bill, and its provisions are extremely simple. I will, therefore, not detain your Lordships long, but will just recite what is the object of the Bill. In effect the Bill proposes to amend Section 4 of the Crofters Common Grazings Regulation Act, 1891, in the first place by enabling the Crofters Commissioners to appoint a committee, and make regulations without any request from a landlord or from crofters interested, such a request being necessary under the Act of 1891. Secondly, it amends the Act of 1891 by rendering a person committing a breach of any regulations made under the Act of 1891 liable to a penalty on conviction before a sheriff under the Summary Jurisdiction Acts without prejudice to the existing powers under Section 5 of the Act of 1891 to deal with a breach of regulations by petition to the sheriff, the power last-mentioned having been found inadequate. It is also proposed to give power to a person appointed by the Crofters Commission to summon and attend any meeting of a Commons Grazing Committee for the purpose of advising the committee or otherwise assisting them in administering the Act of 1891. It is anticipated that under this power the same person might, with advantage, summon and advise several committees in this connection. These are really all the provisions contained in this Bill, which I ask your Lordships to read a second time.

Moved that the Bill be now read 2ª.—(*Lord Herschell.*)

Lord LOVAT: I should like to lodge a protest against this Bill being sprung upon us at this late period of the session. I applied at four o'clock for a copy of the Bill and I was surprised to find that it was not then printed. I do not think that business can be carried on with advantage if Bills have to be brought up from another place, and be printed, and given a Second Reading in this House two hours afterwards. This has been described by the noble Lord as a short Bill, and I should like to add that it is a rather useless Bill. It amends an Act which did not come to very much in the first place, because it has been shown that the Crofters Common Grazings Regulation Act, 1891, was not used either by landlords or tenants. This Bill is intended to enable further use to be made of that Act, but it will probably not be used to a much greater extent when the Crofters Commission come to administer it. The whole question of common grazings certainly needs investigation by His Majesty's Government, and it is a great pity that a Bill dealing with the subject should be rushed through the House at the last moment as this Bill is to be. Crofters common grazings have an importance entirely outside their intrinsic value in the agricultural system of Scotland from the fact that they are the home of contagious diseases among sheep in the North. In Inverness, of twenty-three cases of sheep scab in a short period of years, twenty were found to exist on the common grazings of crofters. On the island of Lewis, and I believe on the West Coast of Ross-shire the same state of things prevails. This is, as the House will see, a matter of great importance to agriculturists, because if these areas should be scheduled it means the total prohibition of the export of sheep from them while the Order remains in force, thus involving a very considerable loss to all the sheep farmers in the district. There is, I understand, no great hurry for this Bill to pass, and the matter should be once more considered with the Board of Agriculture in order to find out when committees are appointed to draw up regulations whether they might not at the same time do something to deal with sheep scab. I can imagine nothing more useful than to have committees who could deal, not only with the number of sheep on the ground, but also with this question of sheep scab, which is a veritable curse throughout the western part of the Highlands. It is very obvious that in the case of these crofters common grazings, where each man has from a dozen to twenty sheep, the same care is not exercised as in the case of larger holdings which are fenced, and in which each man is responsible for his own flock. I think it would be well if His Majesty's Government would consider whether there is any great urgency for carrying this Bill through, and whether it might not be left over until next session and introduced in another form which would enable the Board of Agriculture to co-operate with the Secretary for Scotland. The Highland counties at the present moment are very heavily taxed to meet the cost of extra veterinary experts who are introduced to deal with outbreaks of contagious disease, which, with a little careful legislation, might be entirely prevented.

LORD HERSCHELL: I feel that an apology is certainly owing to the noble Lord for the fact that the Bill had not been printed, and he was unable to have access to a copy of it until a late hour. Nobody who has listened to the noble Lord's speech could possibly fail to be impressed, not only with his intimate knowledge of the particular question he dealt with, but also with the great value of his observations on the subject of contagious diseases among sheep. All his remarks on this subject I shall certainly convey to the Secretary for Scotland, and I feel sure that if legislation dealing with this matter should be introduced his opinions will receive every attention. As a matter of fact, however, this particular point could not really be introduced in the present Bill for two reasons. In the first place, the question is one that rests with the Board of Agriculture, and, of course, as I need hardly tell the noble Lord, it does not come under the Crofting Acts. Secondly, the Crofter Commissioners cannot make regulations, because they could only do this under the Crofting Acts, and this Bill merely seeks to repeal one section of the Crofters Common Grazings Regulation Act. I hope, in view of the fact that it would really be impossible to insert in the Bill a provision with regard to this particular point, the noble Lord may, perhaps, be content to allow the Bill to receive a Second Reading.

LORD LOVAT: I think it would be very much better to take up the whole of this question in one Bill, and I do not think that the present measure will be of very much value in the Highlands.

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): May I join in the appeal of my noble friend that the noble Lord opposite will allow this little Bill to go through? I agree with every word that he has said about the horrible curse of sheep scab. No two farmers, however, think that the same time is convenient for them to undertake the dipping of their sheep. The question of sheep scab is a very large one, and I can promise him that if he will allow this Bill to go through, and will give us the valuable advice and counsel which he is able to do on the bigger question, we shall be perfectly ready to consider that question. I do not think, however, that he will be assisting in any way to deal with the question of sheep scab if he stops the passage of this Bill through your Lordships' House.

LORD LOVAT: I can assure the noble Earl that I am not going to raise any objection to the Second Reading, but I hope at the same time that the Government will bear in mind what I have said in reference to the question of sheep scab.

On Question, Bill read 2^a, and committed to a Committee of the Whole House for To-morrow.

CHILDREN BILL.

Returned from the Commons with several of the Amendments agreed to; several others agreed to with Amendments, and with consequential Amendments to the Bill; and several others disagreed to; with reasons for such disagreement. The said Amendments and reasons to be printed. (No. 262.)

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Commons Amendments to Lords Amendments to be considered To-morrow.

CRIMINAL LAW AMENDMENT BILL.

Commons Amendments to be considered To-morrow.

House adjourned at twenty minutes before Nine o'clock, till To-morrow, half-past Three o'clock.

HOUSE OF COMMONS.

Wednesday, 16*th December,* 1908.

The House met at quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Water of Leith Purification and Sewage Order Confirmation Bill.—Read a second time; and ordered to be considered To-morrow.

RETURNS, REPORTS, ETC.

BOARD OF EDUCATION.

Copy presented, of Report on the Victoria and Albert Museum, the Royal Colleges of Science and of Art, the Geological Survey and Museum, and on the work of the Solar Physics Committee, for the year 1907 [by Command]; to lie upon the Table.

IRISH LAND PURCHASE ACTS.

Copy presented, of Diagram indicating up to the 30th April 1908, by Counties and Provinces, (a) the area of land sold, and (b) the estimated area of lands in respect of which proceedings had been instituted, and were pending for sale under the Irish Land Purchase Acts; also the estimated area of lands in respect of which proceedings for sale had not been instituted on that date under the said Acts [by Command]; to lie upon the Table.

BOILER EXPLOSIONS ACTS, 1882 AND 1890.

Copy presented, of Report to the Secretary of the Board of Trade upon the working of the Boiler Explosions Acts, 1882 and 1890, with Appendices [by Command]; to lie upon the Table.

WAGES AND EFFECTS OF DECEASED SEAMEN.

Account presented, of the sums received and paid in respect of the Wages and Effects of Deceased Seamen in the year ended 31st March 1908 [by Command]; to lie upon the Table, and to be printed. [No. 367.]

CENSUS OF PRODUCTION ACT, 1906.

Copy presented, of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

SEAMEN'S SAVINGS BANKS (MONEY ORDERS AND TRANSMISSION OF WAGES).

Account presented, of all Deposits received and repaid by the Board of Trade on account of Seamen's Savings Banks under the Merchant Shipping Act, 1894, during the year ended 20th November 1907, and of the interest thereon; Statement showing the number and amount of Seamen's money Orders issued and paid at Ports in the United Kingdom, and at Ports abroad from 1855 to 31st March 1908; also Statement showing the Receipts and Payments in connection with the Transmission of Seamen's Wages, Home and Foreign, from 1878 to 31st March 1908 [by Act]; to lie upon the Table, and to be printed. [No. 368.]

GENERAL LIGHTHOUSE FUND.

Copy presented, of Account of the General Lighthouse Fund, showing the Income and Expenditure for the year ended 31st March 1908 [by Act]; to lie upon the Table, and to be printed. [No. 369.]

RAMSGATE HARBOUR.

Copy presented, of Statement of the Receipts and Payments for the year ended 31st March 1908, together with an Account of the Receipt and Issue of Stores [by Act]; to lie upon the Table.

PAUPERS AND DEPENDANTS (SCOTLAND).

Return presented, relative thereto [ordered 8th December; *Mr. Sinclair*]; to lie upon the Table, and to be printed. [No. 370].

FOREIGN COUNTRIES (PREFERENCE TO COLONIES).

Return ordered, "showing the fiscal advantages at present given by France, Germany, Spain, the Netherlands, and the United States to goods imported from their Colonial Possessions, and conversely by the said Colonial Possessions to goods from their mother country."—(*Mr. Mitchell-Thomson.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Export of New Ships—Board of Trade Returns.

MR. BELLAIRS (Lynn Regis): To ask the President of the Board of Trade whether he is aware that the monthly Board of Trade Returns in the exports of new ships give displacement tons for war ships and gross tonnage for merchant ships, and these are added together and the total called gross tonnage; and whether the Board can see their way to giving only the total gross tonnage of merchant ships, leaving the displacement tonnage of warships separate.

(*Answered by Mr. Churchill.*) The Monthly Trade and Navigation Accounts give the gross tonnage for all kinds of new ships exported, whether war or merchant vessels. It has not been the practice hitherto to insert the word "gross" in respect of the tonnage of war ships, but this will be done in future.

Overcrowding on the Metropolitan Railway.

MR. NIELD (Middlesex, Ealing): To ask the President of the Board of Trade, whether he is aware that there is overcrowding of passengers on the Metropolitan Railway between Baker Street and Harrow, owing to the reduction during the late morning and afternoon of the number of coaches, and that such overcrowding extends to carrying a number of persons on the guard's platform of the coaches of electric trains, preventing the ready ingress and egress of passengers; and whether he will cause an inquiry to be made and an intimation to be given to the company expressing the disapproval of the Board of Trade of this practice.

(*Answered by Mr. Churchill.*) The railway company inform me that it is their practice to reduce the length of the trains on the section of line referred to from six to three cars between the hours of 10.15 a.m. and 5 p.m., when the traffic is comparatively light, and that as trains are run at regular intervals of five minutes the accommodation afforded is found in ordinary circumstances to be quite sufficient. Trains of full capacity are, however, run throughout the day on

Saturdays and on other occasions when the traffic is heavier than usual. As regards the conveyance of passengers on the carriage platforms the company have a regulation forbidding this practice, and they assure me that the trains between Baker Street and Harrow will be kept under close observation, and that, if necessary, special steps will be taken to deal with any case of persistent disregard of the regulation referred to.

Dangerous Level Crossing at Streetly Station.

MAJOR DUNNE (Walsall): To ask the President of the Board of Trade, whether he is aware that unavailing representations, with regard to a dangerous level crossing at Streetly station, have been made to the directors of the Midland Railway, and that they have refused to do anything, notwithstanding that there is a bridge already in existence which could be utilised; whether the Board of Trade have any power to insist on proper facilities being provided for passengers crossing the line in this and similar cases where danger to life exists; and, if not, whether he will take steps to procure for the Board of Trade the necessary statutory powers

(*Answered by Mr. Churchill.*) The Board of Trade have received representations from the Wallsall chamber of commerce with regard to the absence of a footbridge at this station, and have been in communication with the railway company on the subject. The company do not see their way to erect a footbridge, and the case is not one in which the Board of Trade have any compulsory powers. I may add that there is no record of any accident having occurred at the spot in the last five years.

Portadown Post Office Staff.

MR. MOORE (Armagh, N.): To ask the Postmaster-General if he is aware that in Portadown Post Office the established staff consists of seven Protestants and twelve Roman Catholics, and the unestablished staff of three Protestants and four Roman Catholics; if he is aware that three Roman Catholics and one Protestant have recently been promoted to the established staff, and that one of these promotions is that of a man having a brother on the established staff and is, therefore, contrary to the general practice; will he say if P. Breen has passed the necessary Civil Service examination if he has been promoted over the ex-telegraph messengers employed at Portadown, and if he will state why the rule as to offering a soldier candidate an appointment was ignored in this instance and a suitable soldier passed over; and if it is intended in a Protestant community to reduce the numerical grievance under which Protestants in the Portadown Post Office suffer.

(*Answered by Mr. Sydney Buxton.*) It is not the practice to take into consideration the religious beliefs of candidates for appointments in the Post Office, and it would be undesirable to introduce such a practice. Inquiry is being made as regards the other point mentioned in the hon. Member's Question.

Reorganisation of Victoria and Albert Museum.

LORD BALCARRES (Lancashire, Chorley): To ask the President of the Board of Education if, prior to the adoption of the scheme to reorganise the Victoria and Albert Museum as outlined by the Departmental Committee, the House of Commons can be given an opportunity of discussing the matter, in view of the proposal to revise the museum policy consistently followed for nearly fifty years.

(*Answered by Mr. Runciman.*) I cannot undertake before the end of the present session to prophesy what will be the subject of debate in the earlier portions of next session; and it would, I think, be in the highest degree inexpedient to delay, for an indefinite period, as the hon. Member's Question would suggest, the transference of the magnificent collections at South Kensington to the new premises that have long been needed, and have at last been completed for them at great cost. I must emphatically demur to the view expressed and implied in the concluding phrase in the Question. The purpose stated by the Department "nearly fifty years ago" to have been in view in the then rearrangement of the collections followed precisely the same lines as those set before the recent Committee by the Board of Education last February. The practical steps needed for securing a more complete fulfilment of those purposes have been carefully worked out by that Committee in the Report and Recommendations, the main lines of which have since been adopted by the Board, and will be carried out in the approaching rearrangement of the collections, with such minor modifications as may prove desirable on closer investigation. Unfortunately, as was pointed out by the 1897 Departmental Committee, of which the hon. Member was a member (see p. xxxv. of their Report), the Art Museum in subsequent years did not continue to develop under "the guidance of a consistent policy determined beforehand." I must, therefore, contest the accuracy of the view now expressed by the hon. Member in his Question, when he speaks of a policy having been "consistently followed for nearly fifty years"; this is in direct conflict with the Departmental Committee's statement on this point, and cannot accurately be said of the Art Museum. On the other hand, I may point out that the policy now being carried out by the Board is a consistent development both of the original museum policy and also of that laid down by the Department's Minute, dated 20th July, 1897, passed while the 1897 Departmental Committee, of which the hon. Member was a member, were sitting, and approved by that Committee. By that Minute the Art Museum was organised on a basis of sections classified according to material. It is true that the Departmental Committee (in their Report signed by the hon. Member in 1898) made no clear declaration of preference for this basis; but the reasons which they named for approving the particular organisation of the museum staff adopted by the Department in 1897 can only be read as strong arguments in favour of that basis of classification.

Rents Charged by Co-operative Societies to Small Holders.

MR. JESSE COLLINGS (Birmingham, Bordesley): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the rents to be charged to the small holders by the co-operative societies who have acquired land from county councils for the purpose of small holdings will be of such an amount as to enable these societies to pay a dividend to the shareholders, to pay the cost of management, and to provide for the formation of a reserve fund.

(*Answered by Sir Edward Strachey.*) It will rest with the elected committee of a co-operative land society to decide as to the rents to be charged to individual members for their holdings. The called-up capital will, as a rule, be small, and a nominal increase in rent should be sufficient to provide a dividend upon it. The expenses of management should also be small. The question of the provision of a reserve fund is one for the decision of the committee.

Grants for Cattle-breeding.

MR. REES (Montgomery Boroughs): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether any grant is made in Ireland for the purpose of improving the breed of cattle; and, if so, whether a similar grant can be made for Wales, in consideration of the fact that the meat of the United Kingdom is now chiefly supplied from foreign countries.

(*Answered by Sir Edward Strachey.*) I am unable to add anything to the replies which I gave on this subject on the 3rd and 11th instant to my hon. friends the Members for South Carnarvonshire and Merthyr Tydvil.

Applications for Small Holdings in Derbyshire.

SIR WALTER FOSTER (Derbyshire, Ilkeston): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he can now state what steps, if any, have been taken by the county council of Derbyshire to satisfy the 153 applicants for small holdings in the county of Derby; and, if no steps have been taken, whether the Board of Agriculture will take measures to inquire into the causes of the delay.

(*Answered by Sir Edward Strachey.*) The county council are endeavouring to obtain land for the suitable applicants, and the Board have recently urged upon them the importance of doing so without any further delay.

Strangford Bar Buoy.

CAPTAIN CRAIG (Down, E.): To ask the President of the Board of Trade whether he can state the result of his communication to the Irish Lights Commissioners as to the desirability of that Board consulting the local pilots of Strangford and Portaferry on the subject of the proper position in which to moor the buoy recently run down off Strangford Bar; and whether he is aware that a distance of one and a half mile from the Bar mouth would serve coasting vessels and vessels making in or out of the Lough better than the old situation of six miles out.

(*Answered by Mr. Churchill.*) The Commissioners of Irish Lights inform me that the buoy in question was placed for the benefit of vessels passing up and down the Channel, and not as a guide for coasting vessels making in or out of the Lough, and that if it were moved to a spot one and a half miles from the Bar mouth, it would not at all answer the purpose for which it was established.

Floating Docks for Vessels of "Dreadnought" Class.

MR. OWEN PHILIPPS (Pembroke and Haverfordwest): To ask the First Lord of the Admiralty what would be the approximate cost of a floating dock large enough to dock vessels of the "Dreadnought" class; and what approximate depth of water would be necessary in the place where such floating dock was stationed to enable vessels of the "Dreadnought" class to make use of the dock when the vessel is undamaged, and when one or more watertight compartments of the vessel are full of water.

(*Answered by Mr. McKenna.*) The Board have not had before them the detailed design of such a floating dock, and I should prefer not to quote an approximate estimate of cost. The Answer to the second part of the Question depends on the design of the dock and the amount of damage to the ship.

Old-Age Pensions—Summary of Decisions.

MR. R. HARCOURT (Montrose Burghs): To ask the President of the Local Government Board whether he will issue some memorandum or return summarising the various decisions given in doubtful cases under the Old-Age Pensions Act which at present are only available in Departmental letters, Answers to Questions in Parliament, and the like.

(*Answered by Mr. John Burns.*) I issued a circular on the 11th instant to local pension committees and sub committees informing them of the decisions arrived at upon some of the more prominent questions raised by the appeals made to the Local Government Board under the Act. The circular has been laid upon the Table, and will be in the hands of Members immediately.

Construction of Subways at Elephant and Castle.

MR. RUPERT GUINNESS (Shoreditch, Haggerston): To ask the President of the Local Government Board whether he had been urged by the borough of Southwark to obtain Parliamentary sanction for the construction of subways at the Elephant and Castle so that the work might be proceeded with at once and some additional employment be given in a district where it is greatly needed; and, if so, will he state the grounds which prevented him from complying with that request.

(*Answered by Mr. John Burns.*) The Answer to the first part of the Question is in the affirmative. The Parliamentary sanction desired would necessitate a Bill, and the Government could not undertake to introduce a Bill to deal with a purely local matter. I have suggested to the borough council that they should approach the London County Council so as to ascertain whether the matter can be dealt with by means of a clause in a Bill promoted by them.

Indian Rupee Debt.

SIR H. COTTON (Nottingham, E.): To ask the Under-Secretary of State for India if he can state what amount of the Indian rupee debt standing on 31st March last at Rs.1,32,82,94,955 = £88,552,997 is held by natives of India; and what proportion of this rupee debt held by Indians consists of investments made by the Court of Wards, which is a department of Government, and of deposits which are made by Indian officials as security for their good behaviour.

(*Answered by Mr. Buchanan.*) I have not the figure of holdings by natives of

India on 31st March, 1908. But the division of the rupee debt on 31st December, 1906, was as follows—

	£
Europeans - - -	48,000,000
Natives of India - -	39,000,000
Total -	87,000,000

I am unable to say what portion of the £39,000,000 held by Indians represents the investment of money held by the Court of Wards or of deposits lodged by officials.

Unemployed Grant to Ireland.

MR. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the total amount so far allocated to Ireland out of the moneys available for the working of the Unemployed Workmen Act; the proportion such amount bears to those similarly allocated in Great Britain; and the principle in accordance with which Ireland's share is calculated.

(*Answered by Mr. Birrell.*) No sum has been allocated to Ireland generally during the present year in aid of expenses under the Unemployed Workmen Act. Each application for a grant is inquired into by the Local Government Board and submitted by them to the Treasury for consideration. Up to the present time formal applications from Belfast, Drogheda, and Dublin have been received and decided on, the following grants being made. Belfast, preliminary grant of £1,000; Dublin, £3,000; Drogheda, £450. Applications made by the Ennis and Galway Committees are before the Treasury.

Evicted Tenants—Application of Edward M'Barron.

MR. J. MACVEAGH (Down, S.): To ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Estates Commissioners have received an application from Edward M'Barron, of Aghaderryloman, County Fermanagh, to be restored as an evicted tenant; if so, whether his name has been entered on the list of suitable persons; and, if not, for what reason.

(*Answered by Mr. Birrell.*) The Estates Commissioners have decided, after due inquiry, not to take any action on M'Barron's application for reinstatement nor to provide him with land in addition to that which he now holds. It would be contrary to practice to state the reasons which actuate the Commissioners in the exercise of the discretion vested in them.

Territorial Army—Commands in the Army Service Corps.

COLONEL LOCKWOOD (Essex, Epping): To ask the Secretary of State for War if the junior officer appointed to a divisional Army Service Corps command in the Territorial Force has been given a higher rank than the other officers, very senior to him, in a similar position are allowed to hold.

(*Answered by Mr. Secretary Haldane.*) The officer first gazetted to the command of a divisional transport and supply column was given the rank of colonel. It was then decided that future appointments should be with the rank of lieutenant-colonel only. As this officer's appointment had been gazetted it was not possible to deprive him of the rank of colonel, but on the other hand, it was not considered desirable to bestow a rank which is now considered unsuitable for military reasons on other officers who are appointed to the command of these columns. The fact that he was junior in service to other officers afterwards appointed to similar commands was purely accidental.

Government Contracts—Wages in Sub-Contracted Work.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the Secretary of State for War what is the present procedure of the War Office to secure a reasonable standard of wages, hours and conditions of employment in respect of unorganised labour indirectly employed by sub-contracting of any portion of work to carry out Army contracts; whether he has considered the principle adopted in a standing order made by the Sheffield City Council on 10th April, 1907, that, in municipal contracts in respect of organised trades, the standard wages, hours, and conditions as generally recognised by the trade unions and the employers should be enforced, but that in respect of unorganised workers, where there are no such recognised standards, the counci itself will prescribe reasonable standards of wages, hours, and conditions of employment in respect of any such sub-contracted work under the municipal contracts; and whether the War Office, in offering any contracts in the carrying out of which unorganised labour is employed by sub-contracting or otherwise, will adopt this principle and prescribe the rates of wages, hours of labour, and conditions of employment.

(*Answered by Mr. Secretary Haldane.*) These points are discussed in the Report of the Fair Wages Committee which will shortly be in the hands of hon. Members, and will receive full consideration by His Majesty's Government. It would therefore, I think, serve no useful purpose to supply the hon. Baronet with the mass of detail that would be necessary in order to answer fully this question as to present practice.

QUESTIONS IN THE HOUSE.

Rosyth.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the First Lord of the Admiralty how many men are now employed at the new naval dock at Rosyth, and in what capacity.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): Tenders have not yet been received for the new works at Rosyth, but they are due next week. No men are, therefore, employed on the naval dock, which is included in the contract.

MR. ARTHUR LEE (Hampshire, Fareham): When does the right hon. Gentleman anticipate that serious operations will commence?

MR. MCKENNA: Until I receive the tenders I cannot say.

MAJOR ANSTRUTHER-GRAY: Can the right hon. Gentleman explain the reason for the delay?

MR. MCKENNA: I am waiting for tenders.

H.M.S. "Bulwark."

MAJOR ANSTRUTHER-GRAY: I beg to ask the First Lord of the Admiralty whether he can give any information as to the recent defects found in the guns of H.M.S. "Bulwark"; and what is the nature of the defects in question.

MR. MCKENNA: No defects have been found in the guns of H.M.S. "Bulwark," but the riveting of the 12-inch gun slides has recently been reported by this ship as defective, and steps are being taken to make good this defect as soon as possible.

Naval Shipbuilding on the Thames.

MR. MIDDLEMORE (Birmingham, N.): I beg to ask the First Lord of the Admiralty whether the Admiralty will state what, if any, shipbuilding work has been placed with the Thames Ironworks and Shipbuilding Company since the launch of the "Black Prince" in 1904.

MR. MCKENNA: An order for a torpedo-boat destroyer has recently been provisionally placed with the company. They have also contracted for the machinery of steamboats, the hulls of which were built by other firms; and have from time to time been given orders for replacing parts of machinery, etc.

MR. MIDDLEMORE: I beg to ask the First Lord of the Admiralty in view of the fact that it is of national moment that a fully-equipped shipbuilding yard should exist in the immediate neighbourhood of London, and that shipbuilding plant cannot be maintained in idleness, whether the Admiralty, in giving out their contracts for the next year's programme, will give full consideration to the claims of the Thames Ironworks and Shipbuilding Company.

MR. MCKENNA: The Admiralty have always given full consideration to the tenders for shipbuilding contracts submitted by the Thames Ironworks Company, and will continue to do so in the future.

MR. CROOKS (Woolwich): If unable to give these people a contract, will the Government, in the interests of the defence of London, lay a ship down and build it themselves on the Thames?

Mr. McKENNA: We have no dockyard there.

Mr. CROOKS: Hire it.

Mr. WEDGWOOD (Newcastle-under-Lyme): Is it not the fact that exactly similar arguments might be brought forward on behalf of Messrs. Armstrong, Vickers-Maxim, and Beardmore?

Mr. McKENNA: Yes. I understand similar arguments would be brought forward on behalf of those firms.

Special Reserve Subaltern Officers.

Mr. COURTENAY WARNER (Staffordshire, Lichfield): I beg to ask the Secretary of State for War if he contemplates any immediate action to facilitate the recruiting of Special Reserve subaltern officers; and, if not, how he proposes to deal with the increasing shortage.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): My hon. friend is in error in supposing that the shortage is increasing. Since 22nd October there have been thirty-four first appointments. It is hoped that now that the Regulations have been published vacancies will gradually be filled up. It is not proposed to take any special measures.

Special Reserve and the New Rifle.

Mr. COURTENAY WARNER: I beg to ask the Secretary of State for War when the Special Reserve will be able to become acquainted with the use of the new rifle which would be the weapon they would have to use if required for active service; and if he would consider the advisability of deferring some of the six months training of the infantry recruits in the Special Reserve until such time as they can be provided for drill purposes with rifles they would have to use if called up for war service.

Mr. HALDANE: Recruits of the Special Reserve are at present trained in musketry with the short rifle. It is anticipated that it will be possible to re-arm the infantry of the Special Reserve with the short rifle before the next annual training. I do not think, therefore, that the action suggested by my hon. friend would be expedient.

Military Caps.

Mr. COURTENAY WARNER: I beg to ask the Secretary of State for War if he will consider the desirability of withdrawing from issue the remainder of the obsolete-pattern cap with canvas cover for infantry Special Reserves, improperly called the "Brodrick" by soldiers, having regard to its unpopularity with the men and the impossibility of making it look smart.

Mr. HALDANE: The cap in question is not confined to the Special Reserve and is still worn by certain Line units. To withdraw the remainder of these caps and replace them by those of the latest pattern would entail a heavy expenditure, which I think my hon. friend will agree with me could hardly be justified.

In reply to a supplementary Question,

Mr. HALDANE said some Line units would wear the cap though it might not be the most becoming for them.

Special Reserve Permanent Staff.

Mr. ARTHUR LEE: I beg to ask the Secretary of State for War what is the approximate cost per annum of the permanent and instructional staff assigned to the Special Reserve, and for what total number of Special Reservists is this staff sufficient.

Mr. HALDANE: The approximate annual cost of the Regular establishments of Special Reserve battalions, of the training brigades of Royal Artillery, and of the permanent staffs of Royal Reserve Artillery is £1,300,000. These staffs are considered to be sufficient to deal with the establishment of about 80,000 Special Reservists shown in the Estimates of this year; but the Regular establishments of Special Reserve battalions also handle recruits for the Line.

Mr. ARTHUR LEE: Will the sum of £1,300,000 cover the cost of the staff for both infantry and cavalry?

Mr. HALDANE: The Special Reserve battalions and the Artillery.

Army Boots.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for War whether he can state the reasons that his Department does not manufacture a portion at least of the boots and shoes required for the Army; and whether, having regard to the advantage of his Department, he will consider the advisability of the establishment by the Government of a manufactory for this purpose in or near some place where this class of labour can be found.

Mr. HALDANE: So long as the War Department can obtain all the boots that are required of good quality from contractors as at present, and can rely upon contractors to provide the extra quantities which might be required in emergency, there would appear to be no grounds for adopting the hon. Member's suggestion. In the interests of economy, I am not desirous of embarking on the trade of boot-making.

Cable Rates to India.

Sir EDWARD SASSOON (Hythe): I beg to ask the Under-Secretary of State for India whether there exist any reasons for not giving effect to the recommendation in the Report of the Departmental Committee on Cables, issued in 1900, for instituting a system of deferred messages to and from India at reduced rates; if so, would he state them; and, if not, would the India Office be moved to take immediate steps to bring it about.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The introduction of a system of deferred messages to and from India at reduced rates rests with the telegraph companies that transmit the Indian traffic. The Secretary of State will refer the question of introduction to the boards of the companies concerned for their consideration.

Sir EDWARD SASSOON: Will the right hon. Gentleman consider the expediency of appointing a small Departmental Committee to investigate this matter?

Mr. BUCHANAN: I should like notice of that.

Sir EDWARD SASSOON: I beg to ask the Under-Secretary of State for India what was the amount earned in 1907–8 by the Joint Purse, and what are the standard earnings which will automatically bring down the Indian telegraph rate to 1s. 6d. per word.

Mr. BUCHANAN: The amount earned by the Cis-India Joint Purse partners on traffic between Europe and India during 1907–08 was £363,531 3s. 7d. There is no standard of revenue, the earning of which would automatically bring down the Indian telegraph rate to 1s. 6d. per word.

Major ANSTRUTHER-GRAY: Do the Government intend to reduce the rate, if possible?

Mr. BUCHANAN: We should like to reduce it, of course.

Unrest in India.

Mr. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for India whether he can state the number of editors of newspapers and other journalists in India who are at present undergoing sentences of imprisonment or transportation; and how many Indian newspapers have been suppressed or temporarily suspended.

Mr. BUCHANAN: I hope early next session to present a Return, on the Motion of the hon. Member for Nottingham, showing the prosecutions for seditious speeches and writings in India since 1st January, 1907. According to the reports received by the Secretary of State, the Newspapers Act of 1908 has been put into force against one newspaper, while proceedings in the case of another are pending.

Mr. MACKARNESS: Will the Return bring the facts up to date?

Mr. BUCHANAN asked for notice.

MR. REES (Montgomery Boroughs) asked whether the Return, if granted, would give the caste of the offender in each case?

MR. BUCHANAN said he did not think so.

MR. REES asked whether the right hon. Gentleman would arrange for that being done, in order that the nature and character of this opposition might be shown.

[No Answer was returned.]

MR. MACKARNESS: Can the right hon. Gentleman give me the actual number of journalists now in prison?

MR. BUCHANAN: I cannot.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for India whether, in view of the frequency of raids and dacoities committed in British districts on the North-West Frontier of the Punjab by independent tribesmen who are in possession of modern European firearms, and resulting in loss of life and property and in the abduction of women, whose husbands are unable to defend them because of the prohibition of firearms by the Government of India, he can inform the House what steps have been taken or are proposed to be taken, to remove the feeling of insecurity that prevails in that province.

MR. REES: Does the Under-Secretary accept the implication that the maladministration or ignorance of the Government concerned has produced a feeling of insecurity in the Punjab?

MR. BUCHANAN: No, Sir. The Government of India have under consideration the question of what improvements are required in the existing system of protecting the British districts adjoining the administrative border against tribal raids. The issue of arms to villages exposed to attack has been sanctioned in certain cases where it seemed necessary.

MR. MACKARNESS: I beg to ask the Under-Secretary of State for India whether the Sessions Judge at Allahabad has sentenced Babu Ram, the youthful editor of the newspaper called *Swarajya*, to seven years transportation on three separate charges of sedition; and, if so, what was the nature of the offences which were so punished; and what previous convictions, if any, stood on record against the prisoner.

MR. BUCHANAN: The Answer to the first Question is in the affirmative; the sentences run concurrently. The charges against the accused were brought under Section 124*a* of the Indian Penal Code, and had reference to several articles published in the newspaper mentioned; it is not known whether there were any previous convictions.

MR. MACKARNESS: What is the age of this man?

MR. BUCHANAN: I do not know.

MR. REES: Old enough to know better.

DR. RUTHERFORD: I beg to ask the Prime Minister whether His Majesty's Government will consider the advisability of suspending the further operation of the Summary Jurisdiction Act until the reform scheme has been proclaimed and passed into law.

MR. BUCHANAN: As I explained in reply to a question on Monday, the Act in question is already in force. The Secretary of State does not think it desirable to take the peculiar action suggested by the hon. Member.

DR. RUTHERFORD: I beg to ask the Prime Minister if he will say when, in view of the blocking Motions placed on the Paper regarding the unrest in India, he will take the long-promised steps to prevent the House from being deprived of its constitutional right to discuss freely all matters of urgent national and imperial purport.

MR. REES: Before the Prime Minister answers this Question, will he say whether the House, as distinguished from a very small section thereof, does desire to discuss this subject at the present time?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): As I have frequently stated, I am prepared, if there is satisfactory evidence of general consent, to ask the House to adopt the recommendation of the Select Committee over which I presided. But no such evidence is so far forthcoming.

Famine in the Uganda Protectorate.

MR. CORRIE GRANT (Warwickshire, Rugby): I beg to ask the Under-Secretary of State for the Colonies whether he will arrange for the distribution of White Paper Cd. 4538 among the head-teachers of our schools and the leaders of our different sects.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (COLONEL SEELY, Liverpool, Abercromby): I share my hon. friend's desire that the Paper to which he refers should have as wide a circulation as possible since it contains a fine record of the united labours of Government officials and Roman Catholic and Church of England clergymen in relieving the distress caused by the recent famine in a part of the Uganda Protectorate. But I fear that the gratuitous distribution of the Paper in the manner which my hon. friend suggests would prove an inconvenient and expensive precedent.

MR. CORRIE GRANT: May I ask if the cause of the famine was the existence of enormous herds of wild beasts in the Protectorate?

*MR. SPEAKER: That hardly arises out of the Question on the Paper.

Straits Settlements—Sale of Public Lands.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the public land sold in the Straits Settlements during 1907; and whether the leasing of public lands at revisable rents usual in the Federated Malay States could be with advantage adopted in the Straits Settlements also.

COLONEL SEELY: The system to which my hon. friend refers is already in force in the Straits Settlements. Except in very special cases, the statutory grants by which Crown Land is alienated are issued subject to a provision that rents are to be revised at intervals of thirty years. My hon. friend will find full details in the Straits Settlements Ordinance No. II. of 1886.

Straits Settlements—Public Debt Charges.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies with reference to the 1907 Report on the Straits Settlements, whether the increase in the charges on account of public debt from $24,000 to $194,000, shown under the head of expenditure, was due to the nationalising of the docks; and, if so, why revenue from these docks does not appear on the revenue side of the account.

COLONEL SEELY: No, Sir. The loan was raised for certain public works in addition to the acquisition of the docks, and the charge to which my hon. friend refers is in respect of that portion of the loan allocated to the former purpose. The revenues of the Dock Board provide the interest for such part of the loan as was devoted to the acquisition of the docks.

MR. WEDGWOOD: Has the money been spent on remunerative works, and will future accounts show the revenue therefrom?

COLONEL SEELY: The question of what should be charged to capital or to revenue account is too wide a subject to discuss by way of Question and Answer across the floor of the House.

Alienation of Malacca and Penang Public Lands.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether the statutory grants mentioned on page 27 of Cd. 3729 (Straits Settlements) are in the nature of alienations in fee simple or of leases; and, if the former, will he take steps to prevent the increasing alienation of public land in Malacca and Penang.

COLONEL SEELY: These Grants are of the nature of leases. Grants in fee simple are prohibited by Straits Settlements Ordinance No. XII. of 1903, except in the case of an exchange of Crown land for other land already held in fee simple. As I have just informed my hon. friend, the terms on which Crown land is now alienated include provision for periodical revision of rent.

MR. WEDGWOOD: Would it not be better to have statutory grants or leases in these cases?

COLONEL SEELY was understood to say that point would be considered.

Australian Immigration Laws.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the treatment of a British subject named Robert Harris, who was not allowed to land at the Port of Sydney, New South Wales, when endeavouring to visit London, and who has written fully, explaining the circumstances, to the Secretary of State for the Colonies; and whether he has made the necessary inquiries concerning this case, and, if so, can he say what action, if any, his Department intends to take in the matter.

COLONEL SEELY: The Secretary of State recently received a Memorial from Mr. Harris, and he has asked the Commonwealth Government to be good enough to furnish him with a Report on the circumstances of the case.

The Baghdad Railway.

MR. REES: I beg to ask the Secretary of State for Foreign Affairs whether he can give the House any information regarding the progress of the Baghdad Railway.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. MCKINNON WOOD; Glasgow, St. Rollox): No further progress has been made with the construction of the railway since the last Question was answered in the House.

MR. REES: Does the hon. Gentleman know whether the Young Turks, under the new constitution, have accepted the exceedingly onerous contract with regard to the kilometric guarantee of this undertaking?

MR. MCKINNON WOOD: I have no information on that subject.

Hop Industry.

MR. DUNDAS WHITE (Dumbartonshire): I beg to ask the President of the Board of Trade if he will consider the advisability of appointing a Departmental Committee to inquire into the working of the Adulteration of Hops Act, 1733, the Hop Trade Act, 1800, and the Hop Trade (Prevention of Fraud) Act, 1866, with a view to ascertaining whether and how far the provisions of these Acts operate advantageously or disadvantageously to the British as compared with the foreign hop trade.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): As a Committee only recently inquired into the condition of the hop industry, I am of opinion a further Committee would not serve any useful purpose.

MR. DUNDAS WHITE: Was the matter mentioned in the question particularly inquired into by that Committee?

MR. LLOYD-GEORGE: They must have considered the question before coming to the conclusion they did.

*SIR W. J. COLLINS (St. Pancras, W.): Will the right hon. Gentleman cause inquiry to be made as to the working of existing legislation in Germany and Australia, whereby the use of hop substitutes is prohibited?

MR. LLOYD-GEORGE: Yes.

Duty on Methylated Spirits.

MR. ALEXANDER CROSS (Glasgow, Camlachie): I beg to ask Mr. Chancellor of the Exchequer if he will state the duty leviable at the Customs houses at our ports upon imported methylated spirits per proof gallon and per gallon

66 degrees over proof; what are the Excise duties charged on spirit manufactured in Home distilleries per proof gallon and per gallon 66 degrees over proof; and if he will state what is the advantage calculated to be afforded to the domestic producer under this tariff.

Mr. LLOYD-GEORGE: So far as I am aware, there is no importation of methylated spirits to this country. If any importation took place, the spirits would be chargeable with duty at the rate of 11s. 5d. per proof gallon, or 18s. 11d. per bulk gallon at a strength of 66 overproof. The Excise duty on British spirits is 11s. per proof gallon, or 18s. 3d. per bulk gallon, at a strength of 66 overproof. Having regard to the conditions affecting home production, I am not satisfied that there is any substantive advantage to the domestic producer at these rates.

Old-Age Pensions—Pauperism Disqualification.

Mr. GILL (Bolton): I beg to ask Mr. Chancellor of the Exchequer whether he intends to remove the pauper disqualification from the Old-Age Pensions Act during the next session of Parliament.

Mr. LLOYD-GEORGE: I am not in a position to make any further statement at present.

Mr. BELLOC (Salford, S.): Arising out of that Answer, is the right hon. Gentleman aware that this is a most important question for the constituencies, and can I press him to give a more favourable hint? It is very important for the Government.

Mr. LLOYD-GEORGE: The hon. Gentleman was not in the House when the Prime Minister made a statement on the subject. If he has time to look it up, he will find it is rather more friendly than he thinks.

Sir FRANCIS CHANNING (Northamptonshire, E.): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to several instances of persons being held to be disqualified for old-age pensions for having received outdoor relief since 1st January, 1908, although members of their families have voluntarily repaid to the guardians the whole of the sums thus paid in outdoor relief; whether, where the guardians have themselves enforced such repayment by members of the family, the applicant would under the Act and the regulations be entitled to a pension; and whether, having regard to this, he will issue a circular to pension committees urging them to accept as qualified for a pension persons whose relatives have thus voluntarily repaid any sums paid in outdoor relief as if the guardians had enforced such repayment.

Mr. LLOYD-GEORGE: My attention has been called to cases of the kind referred to; but I am advised that subsequent repayment, by whomsoever it may be made, and whether made voluntarily or compulsorily, does not remove the disqualification. The disqualification is statutory, and I have no power to issue instructions in the sense suggested in the Question.

Sir FRANCIS CHANNING: Will boards of guardians be advised to take action in case such an applicant is disqualified?

Mr. LLOYD-GEORGE'S Answer was inaudible.

Mr. CORRIE GRANT: Does the reply cover a case in which the guardians bring an action to recover relief by a loan to the pauper?

Mr. LLOYD-GEORGE: I should like notice of that Question.

Stud Tramway Dangers.

Sir JOHN BENN (Devonport): I beg to ask the President of the Board of Trade whether he is aware that on the stud tramway system in the Mile End Road, E., certified by the Board in June last, animals and persons have been injured by live studs; whether he can state the number of live studs and accidents during the working of the system and the amount paid by the London County Council in claims for injured horses or persons; and whether the Board's certificate is still in force with regard to this stud system.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): Accidents to two persons and five horses have been reported to the Board of Trade as occurring on the tramway in question through coming in contact with live studs. The tram service was withdrawn in July last and the period covered by the Board's certificate expires on the 23rd instant. I have no official information as to any amounts paid by the London County Council for injury either to persons or to horses.

Suicides at Sea.

MR. WALSH (Lancashire, Ince): I beg to ask the President of the Board of Trade whether his attention has been called to the suicide at sea of a fireman named Altorallee Ariff Meah on the steamship "Kassanga," of London, on 6th of September, 1908; whether any inquiry was held, whether the seaman was medically examined before joining the ship, and whether he had any previous sea service; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the fireman and trimmers were required to work in each twenty-four hours; and whether any previous cases of suicide, supposed suicide, or disappearance amongst stokehold hands have occurred on this ship.

MR. CHURCHILL: Yes, Sir. Inquiry was held by the Shipping Master at Chittagong. The man was engaged at Calcutta and had previously served as fireman, but I am not aware whether he had been medically examined. As the vessel has not returned to this country since she sailed on her first voyage, the Board of Trade surveyors have not had an opportunity since the date of the occurrence of reporting on the ventilation of the stoke-hold. The consumption of coal was thirty-six tons per twenty-four hours, and the number of firemen and trimmers was eighteen. No previous case of suicide, supposed suicide, or disappearance in this vessel has been reported.

MR. REES: Is it likely natives of India commit suicide on account of want of ventilation in stokeholds?

AN HON. MEMBER: Is it not the fact that a considerable number of firemen do commit suicide?

[No Answer was returned.]

Salford Hundred Court of Record.

MR. GILL: I beg to ask the Secretary of State for the Home Department if his attention has been called to the practice of the Salford Hundred Court of Record in issuing writs from that Court to persons residing in distant parts of the country, whereby it is well-nigh impossible for them to defend such actions; if he can state the number of writs issued during the present year by such Court for sums under £5, under £10, and under £20, respectively; whether he is aware that this Court is extensively used by moneylenders; and whether he proposes to take any steps by legislation or otherwise, to curtail the jurisdiction of this Court in cases where the defendants reside at a distance and where Judges of County Courts have power to try such cases.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): My attention has been called to the hardships caused by the practice to which the hon. Member refers, and I have consulted the Lord Chancellor, who states that the proper course to be adopted by the council of any borough, or the ratepayers of any parish, whose inhabitants are aggrieved at the action of the Salford Hundred Court of Record, is to petition His Majesty in Council as prescribed in Section 7 of the County Courts Act, 1888, that the jurisdiction of that Court may be excluded.

Penrhyn Slate Quarries.

MR. WILLIAM JONES (Carnarvonshire, Arfon): I beg to ask the Secretary of State for the Home Department what was the number of men at work in the Penrhyn Slate Quarries for the year ending 31st December, 1907; how many were employed inside and outside respectively; and what was the number of fatal and non-fatal accidents that occurred to inside and outside workers during the same period.

MR. GLADSTONE: The figures asked for are as follows: 889 employed inside; 1,060 employed outside; total, 1,949. One fatal and 13 non-fatal accidents inside; one fatal and 15 non-fatal accidents outside.

Time-Cribbing in Cotton Mills.

MR. GILL: I beg to ask the Secretary of State for the Home Department if he can state the number of prosecutions for time-cribbing in cotton mills during the present year; the number of convictions and the amount of fines inflicted; whether any inspector's assistants are engaged in that work; and, if so, how many, and the districts to which they are attached.

MR. GLADSTONE: 482 informations have been laid against thirty-four occupiers, resulting in 481 convictions. The fines imposed amounted to £540 1s., and the costs to £208 7s. 6d. Four inspector's assistants assist in the work of detecting time-cribbing; they are attached, one to the Manchester district, one to the Blackburn district, one to the Preston district, and one to the Oldham, Rochdale, Bolton and Stockport districts.

Cotton Mills, Cardroom Ventilation.

MR. GILL: I beg to ask the Secretary of State for the Home Department whether the factory department have concluded their investigations regarding better ventilation in cardrooms in cotton mills; whether he is satisfied that more efficient apparatus can now be affixed for taking away the dust, etc., which is caused by the stripping and grinding of carding engines; and, if so, whether he is prepared to issue an order making it compulsory on all employers to adopt such improved methods on an early date.

MR. GLADSTONE: The subject has been engaging the attention of both the manufacturers and the inspectors. A number of different appliances for removing the dust are being tried, and the results already obtained are such as to show that the dust can be successfully removed without undue cost. The matter is still in the experimental stage, and further experience as to the respective efficiency of the various methods is necessary before a definite requirement can be imposed. The inspectors, however, have instructions to keep the matter before the manufacturers, and I hope that in the course of a few months sufficient progress may have been made to enable the Department to take definite action.

Old-Age Pensions for Rural District Council Workmen.

MR. HUNT (Shropshire, Ludlow) I beg to ask the President of the Local Government Board whether, in view of the fact that in some country districts rural district councils have been in the habit of keeping on old men of long service from charitable motives at higher wages than they were really worth, and that they are now about to reduce their wages to the point at which they are eligible for the full 5s. pension, he will say if these men will be entitled to receive pensions.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The facts to which the hon. Member calls attention would not, in my opinion, render these persons ineligible for pensions under the Old-Age Pensions Act. The circumstances of each case would, of course, have to be onsidered.

Depwade Guardians Meeting Place.

MR. NICHOLLS (Northamptonshire, N.): I beg to ask the President of the Local Government Board if his attention has been called to the fact that a committee of the guardians of the Depwade Union, Norfolk, are holding a meeting on Thursday next at the Railway Tavern, Tivetshall; and if he proposes to take any steps to prevent guardians meeting in a licensed public-house for the transaction of public business.

MR. JOHN BURNS: I have made inquiry on the subject, and am informed that a special committee of the guardians propose to meet to-morrow at the Railway Hotel, Tivetshall, for the purpose of conferring with the medical officers of the union in the hope of settling an outstanding difference with regard to vaccination arrangements. Tivetshall was selected because several of the medical men have to come by rail, and would desire to return by the next train, which could not be done if the meeting were held at the workhouse, and there is no other suitable place at Tivetshall where the meeting could be held. The occasion seems to be altogether exceptional, and I do not think it necessary to take any action with regard to the matter. I may add that I fully agree with the view I understand my hon. friend to entertain, that the holding of meetings of local authorities on licensed premises is in general open to great objection.

Labour Exchanges.

SIR FRANCIS CHANNING: I beg to ask the President of the Local Government Board whether he can state the total number of persons registered in the employment registers of the local labour exchanges in London since 31st March, 1908; what is the number of labour exchanges or bureaux or employment registers started or utilised by distress committees in the provinces, and what has been the total number of persons registered since that date in such exchanges and employment registers; what has been the number of situations filled through the agency of such exchanges and employment registers since 31st March in London and in the provinces; whether any satisfactory system of intercommunication has been established, and is in actual operation, between the central exchange of London and the provincial labour exchanges and bureaux; and whether the number of skilled workmen provided with situations through these agencies is increasing or not.

MR. JOHN BURNS: The total number of persons registered by the local labour exchanges in London since 31st March last up to the 11th instant is 115,195. The number of situations filled by the exchanges in London in the same period is 18,172. For the provinces, I cannot give such precise figures, but it appears that during the eight months following 31st March last there were thirteen labour bureaux maintained by distress committees (apart from some other exchanges worked by town councils), and that the total number of new applicants at the bureaux of these thirteen distress committees was 28,403, out of which number 3,893 were provided with situations. Some intercommunication takes place between London and the provinces as regards the operations of labour exchanges, but there is no organised system for the purpose. I am informed that in London the exchanges are daily becoming more used in respect to both registering and supplying skilled workmen, and that many large factories now draw the whole of their hands from them.

SIR FRANCIS CHANNING: Do I understand that the intercommunication between London and the provinces will be looked into by the Local Government Board and will be more fully organised?

MR. JOHN BURNS: The subject of labour bureaux is being considered at this moment in concurrence not only with my right hon. friend the President of the Board of Trade, but with the Government as a whole.

SIR FRANCIS CHANNING: Does the right hon. Gentleman contemplate giving further Returns covering recent months?

MR. JOHN BURNS: Yes. We trust to be able to issue before June a Report which will be an improvement on that of June last.

Postal Facilities at Scarborough.

MR. W. R. REA (Scarborough): I beg to ask the Postmaster-General whether the curtailment of postal facilities in the town of Scarborough, which he has announced, is part of a general scheme of reduction; if so, whether he will state what other towns have been or will be affected; whether any exceptions to the rule are being made; and whether, before coming to a final decision, he will take steps to ensure that local opinion and convenience are consulted.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The time during which a post office is open to the public is arranged according to the business done, and is not curtailed unless the business at the end or beginning of the period is insufficient to warrant the employment of the staff required to deal with it. The question of extension or curtailment of the hours of counter business is one which is taken up at the periodical revisions of force carried out at all offices. It is the practice in cases in which there is any question of permanent curtailment to consult the local authorities if it is thought that the change is likely to provoke much opposition. The case of Scarborough is still under consideration.

Mr. BECKETT (Yorkshire, N.R., Whitby): Is the right hon. Gentleman aware that local opinion in Scarborough is considerably averse to the proposed curtailment?

Mr. SYDNEY BUXTON: That, I think, is highly probable, because whenever it is proposed to curtail the hours there is naturally some local opposition, and it is really a question of the merits of the particular case. As I have said, Scarborough is still under consideration, and I may say that I desire to give every consideration to local opinion in these matters.

Mr. BECKETT: Can the right hon. Gentleman say how long it will be before this decision is arrived at?

Mr. SYDNEY BUXTON: I cannot say off-hand.

The Victoria and Albert Museum.

Lord BALCARRES (Lancashire, Chorley): I beg to ask the President of the Board of Education what proportion of the £11,260 voted for 1908–9 as the art purchase grant for the Victoria and Albert Museum has been expended during the first eight months of the financial year.

The PRESIDENT of the BOARD of EDUCATION (Mr. Runciman, Dewsbury): The noble Lord's Question is based on a misapprehension as regards the money to which he refers. The £11,000 is not given by the Exchequer to be spent in the financial year; it is a grant-in-aid—unexpended balances not surrendered—placed regularly to the credit of the Art Museum for purchasing such objects as it may from time to time be expedient to procure to strengthen particular sections of the museum exhibits, or to secure some specially desirable object that happens to be for sale. During the last few months I have thought it expedient, in the best interests of the museum, to direct that the officials should refrain from making any purchases at all except in the case of such few objects as presented exceptional opportunities that ought not to be missed. I did so, and am still doing so, in order that there might thus be accumulated a substantial sum with which to start the museum upon the important new stage in its career that will commence when the occupation of the large new premises is proceeded with. The sorting and rearrangement of the various objects of the museum collections in the extended new galleries and courts will demonstrate in a way hitherto impossible which of the various departments of the museum are most in need of development by careful purchasing, and in which of them the needs are less pressing. For this purpose the accumulations now in hand resulting from the savings of the last two years, amounting to some £11,000, will then be at our disposal.

Lord BALCARRES: But how much of the money voted this year has been actually spent?

Mr. RUNCIMAN: I cannot give the exact amount. There was a balance carried forward from last year, and we have made purchases to the amount of £2,900 this year.

Lord BALCARRES: I beg to ask the President of the Board of Education if, prior to the adoption of the scheme to reorganise the Victoria and Albert Museum as outlined by the Departmental Committee, the House of Commons can be given an opportunity of discussing the matter, in view of the proposal to revise the museum policy consistently followed for nearly fifty years.

Mr. RUNCIMAN: The reply to the hon. Member's Question is necessarily of some length; and if he will permit me, I will hand it in at the Table to be printed, sending him a copy; as this will, I think, better meet the convenience of the House.

LORD BALCARRES: I am only asking that Parliament may have a voice in the policy reversing the uniform practice of the last fifty years.

MR. RUNCIMAN: I cannot admit that there has been a departure from uniform practice, or that there has been any uniform practice of that period. Any Question as to the disposition of the time of the House must obviously be addressed to the Prime Minister.

Holyrood Palace Picture Gallery.

MR. GULLAND (Dumfries Burghs): I beg to ask the First Commissioner of Works whether a plan is in existence for the redecoration of the picture gallery at Holyrood Palace; if so, whether he will exhibit it; and whether he will make provision in next year's Estimates for the work to be carried out.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): The question of redecorating the picture gallery at Holyrood Palace has frequently been discussed; but I have not as yet been able to submit any definite plan to the King. I am not, therefore, making any provision in the Estimates for next year.

Foreign Fed Meat.

MR. REES: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Government will consider the propriety of introducing a Bill next session making it compulsory for foreign-fed meat exposed for sale in this country to be marked as foreign-fed.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, S.): I am not in a position to make any statement as to what legislation, if any, will be initiated by the Board next session.

MR. REES: May I ask whether under the circumstances free competition does not amount to protection in favour of the foreigner.

*MR. SPEAKER: That is a matter of opinion.

Century Insurance Company Director.

MR. WATT: I beg to ask the Lord-Advocate whether he is aware that one of the recently-appointed sheriffs in Scotland is an ordinary director in the Century Insurance Company, and that thot company is frequently engaged in litigation in the jurisdiction of the sheriff; and, if so, will he say whether this has the sanction of his Department, or whether he proposes to take any steps in the matter.

THE LORD-ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs): Sheriff Lorrimer is a director of this Company. The remainder of the Question is founded on error. The company is not frequently engaged in litigation in that sheriffdom; indeed I am informed that during the whole twenty-three years of the Company's existence it has never once had a case there which fell to be tried by the sheriff.

MR. WATT: What is the course adopted in cases where sheriff's companies come into litigation? Does the sheriff vacate his seat and who takes his place?

MR. THOMAS SHAW: That would be an important question when such a case arose, but I have not heard of one.

Lanarkshire Miners and Fishing in the Tweed.

MR. FINDLAY (Lanarkshire, N.E.): I beg to ask the Lord-Advocate whether his attention has been called to the interdict cases raised by certain proprietors in Peebleshire prohibiting a number of Lanarkshire miners from having access to the banks of the Tweed and mulcting them in heavy expenses; and whether, in view of the unrest and indignation caused by this interference with immemorial custom, he will consider the advisablity of introducing legislation to secure right of access to river banks and freedom to fish for trout.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): My attention has not been drawn to the cases referred to. On behalf of the Prime Minister I received a deputation upon the subject of Tweed fisheries during the autumn recess, and I cannot at present do more than assure my hon. friend that the question is not being lost sight of by the Government.

Scottish Churches Commission.

MR. GULLAND: I beg to ask the Secretary for Scotland whether he is aware that many of the funds under the adjudication of the Scottish Churches Commission have been long ago allotted to the churches interested but have not been paid over, and that much inconvenience is thereby produced to the causes for which the money was given; and whether he will represent to the Commission the advisability of making forthwith a considerable, if not a complete, payment.

MR. SINCLAIR: I am not quite sure that I understand the full purport of this Question. My hon. friend is aware that I have no power to interfere, and that the Commissioners are in all probability well acquainted with the circumstances. Such matters are left to their discretion and I am not at present disposed to make any such representation to the Commission as my hon. friend suggests.

Cement for Irish Labourers' Cottages.

MR. GINNELL (Westmeath, N.): I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether his Department has tested samples of cement manufactured in Ireland and found any suitable for building labourers' cottages; and, if so, whether he will have the results communicated to the Local Government Board and to local bodies engaged in building cottages for labourers.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): My right hon. friend the Vice-President of the Department of Agriculture informs me that there is only one cement factory in Ireland, and this is situated at Drinagh, near the town of Wexford. The Department have not carried out any tests on the cement manufactured at Drinagh. They are, however, advised that the cement in question is of good quality, and is suitable for use in the building of labourers' cottages and other work.

Roscommon Instructress of Domestic Economy.

MR. GINNELL: I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether he can state when and how the appointment of Miss Parr as instructress of domestic economy was terminated by the Department in the County Roscommon; up to what date was she paid salary; and what reason was assigned for refusing the sworn inquiry demanded by her into the conduct of a certain official in the employment of the Roscommon County Committee, a portion of whose salary is paid by the Department.

MR. CHERRY: My right hon. friend the Vice-President of the Department of Agriculture informs me that the lady referred to was employed by the County Roscommon Committee of Technical Instruction, and her appointment was determined by them and not by the Department. As regards the remaining part of the Question, I have to refer the hon. Member to the reply given to his Question of the 1st instant, in which it was stated that there has never been any information or evidence which would call for the Department's interference with the discretion of the Committee in the matter.

Irish Dispensary Medical Officers.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Local Government Board for Ireland or the local sanitary authorities have power to require dispensary medical officers to furnish a certificate of the specific cause of each death in their respective districts, and, when a dying person has been attended by another medical practitioner, to require a similar certificate from the latter; and, if such power exists will it be put in operation.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The matter is not regulated by Orders of the Local Government Board but by the Births and Deaths Registration Act (Ireland), 1880, which requires every registered medical practitioner to give a certificate as to the cause of the death of any person whom he has been attending.

Irish Labourers' Cottages and Tuberculosis.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the promoters of the anti-tuberculosis campaign in Ireland have yet had specimen labourers' cottages in actual occupation inspected by tuberculosis experts with a view to improving the prevalent designs in the interest of health, especially as regards damp, light, and air-space; and, if not, whether this will be done forthwith, in view of the large number of cottage schemes now in contemplation.

MR. BIRRELL: The Local Government Board are not aware that there has been any such inspection of labourers' cottages. Before issuing their model plans and specifications for cottages to be built under the Labourers (Ireland) Act, 1906, the Board took into full consideration the matters indicated in the latter part of the Question.

Promotion of Irish Teachers.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what reason and justification the Commissioners of National Education in Ireland offer for suspending the promotion to first grade of men who have thoroughly earned promotion, according to rules.

MR. BIRRELL: The Commissioners of National Education inform me that they have not suspended the promotion of men who have earned it.

Irish Education Rules.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Commissioners of National Education for Ireland are now preparing new rules and regulations; whether he, remembering past friction in connnection with their rules, will ask them, before finally adopting new rules, to submit drafts of them to representatives of the respective organisations of managers and of teachers; when do the Commissioners propose to pay the supplementary grant for the year ending 31st March, 1909; do they intend to give annual increments of salary instead of triennial as at present; what is their intention regarding the quicker promotion of teachers; and will they enable teachers to reach the maximum of first-of-first grade before completion of thirty-six years of service.

MR. BIRRELL: The rules of the Commissioners of National Education are revised annually. The Revised Code for 1908–9 is now being circulated. I do not propose to make any suggestion to the Commissioners as to the method of revision. The supplementary grant for the year ending 31st March, 1909, cannot be paid until after .that date. The Commissioners do not intend to give annual increments of salary, they desire to accelerate promotion in suitable cases, and they would also be glad to enable deserving teachers to reach their maximum sooner, but the necesssary funds are not at present available for the purpose.

Irish Land Purchase Securities.

MR. BARRIE (Londonderry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state in how many cases of applications under Section 1, subsection (1), of the Land Purchase Act, 1903, did the Estates Commissioners in the years 1906 and 1907 make, or direct to be made, inquiry into matters affecting the security.

MR. BIRRELL: It is not the practice of the Estates Commissioners to inspect for security holdings in respect of which applications have been lodged under Section 1, subsection (1) of the Irish Land Act, 1903, but such holdings may have to be inspected for other purposes.

Irish Land Purchase Finance.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the

Estates Commissioners are alone responsible for estimating the total amount of purchase money under the Land Act of 1903 at £183,568,396; whether they consulted the Registrar-General as to the various descriptions of land included in the tenement valuation of £10,061,667 on the basis of which the estimated amount of purchase money for unsold land was calculated; and, if so, will he lay upon the Table a copy of the correspondence that passed between the two Departments.

MR. BIRRELL: The Estates Commissioners are responsible for the estimate of the total amount of purchase money under the Act of 1903. They consulted the Registrar-General as to the point referred to in the Question, but no correspondence passed between the two Departments.

Rafeen Untenanted Lands.

MR. CREAN (Cork County, S.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have placed Henty Hosford in possession of untenanted land at Rafeen, County Cork; whether he is aware that in reply to a letter the Estates Commissioners informed the Parliamentary Member for the Division that they had fully inquired into the claim made by the Hosfords and had decided not to purchase the farm for them, as they had no title to the land; whether he is aware that the people claiming this land have already in their possession three large farms, one of these being a farm near Kinsale from which a farmer had been evicted, and for which the son of the evicted tenant has made a claim; and, whether in view of these facts and in the interest of peace in the district, the Commissioners will refuse to advance the purchase money.

MR. BIRRELL: The Estates Commissioners purchased this farm in 1907. They at first intended it for a tenant from another estate, but ultimately decided to give it to the Hosfords, on whose behalf the hon. Member had approached them. The farm has now been sold to Henry Hosford, who is in possession. The Commissioners are aware that his stepfather holds other lands, but cannot say whether they include an evicted farm.

MR. WILLIAM ABRAHAM (Cork County, N.E.): Did not the hon. Member for South-East Cork inform the Commissioners by letter that he had proof the Hosfords had no title to the land, and that the persons who recommended him had stated that they had been grossly deceived? Will the Commissioners reconsider their decision?

MR. BIRRELL: I have no information, but it looks as if the hon. Member had better have left the matter alone.

Tonlagee Grazing Farm.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. John Beirne, having had his cattle driven more than once from his grazing farm at Tonlagee, near Ballinasloe, and after the Estates Commissioners had on 15th November, 1907, informed him that upon inspection they estimated the price of the farm at £3,090, exclusive of bonus, intimated his readiness to sell; that six months afterwards he was informed that the abovementioned price was inclusive and not exclusive of the bonus, thereby reducing the price by £370; that on 23rd October, 1908, the Estates Commissioners informed him they were only prepared to give him £2,759 for the farm, or a sum of £700 less than the original sum at which they valued the farm; and, whether in view of the prevailing circumstances of the locality, the payment of the sum originally proposed will be made to Mr. Beirne.

MR. BIRRELL: The Inspector-General of the Royal Irish Constabulary informs me that the cattle have not been driven off this farm, but on one occasion cattle on their way to the farm were dispersed. Owing to a clerical error in the office of the Estates Commissioners the word "exclusive" was used instead of "inclusive" in communicating their estimate of price. The owner's solicitor was informed of the mistake as soon as it was discovered. The correct amount was stated in the formal offer to purchase, and the Commissioners are not prepared to increase it.

Royal Dublin Society.

MR. KETTLE (Tyrone, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the recent action of the Royal Dublin Society in refusing to admit to its library a book by Mrs. John Richard Green, entitled "The Making of Ireland and its Undoing;" whether he is aware that this book has been acclaimed in the world of culture as the most important contribution to Irish history published in recent years, and is in circulation in the National Library in Dublin, and in many other public libraries in Ireland and Great Britain; and whether he can state the grounds on which it was excluded by the Royal Dublin Society.

The hon. Member had the following other Questions down on the same subject —

I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Members of the Royal Dublin Society enjoy the privilege of borrowing from the National Library books purchased with public money, and of retaining these books for an indefinite period in their own homes, to the inconvenience of the Dublin reading public; and whether he will make such alterations in the Charter as will deprive members of that society of the privilege of inconveniencing those citizens of Dublin who make use of the National Library for purposes of study.

I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Royal Dublin Society was originally instituted by Royal Charter for the promotion not of literature but of agriculture; whether its chief public functions are three public shows every year of horses, sheep, pigs, and fat cattle; whether it enjoys any endowment from public funds; and, if so, whether, in view of its recent manifestation of political prejudice, he will take steps to withdraw such portion of the funds as is devoted to the maintenance of a literary censorship, for which no provision is made in the Charter of the society.

I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of recent events, he will make such alterations in the Charter of the Royal Dublin Society as will limit the activities of that body to the improvement of agriculture.

I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland who is the present President of the Royal Dublin Society; whether the Lord-Lieutenant is a vice-patron; and whether the action of the society in excluding important works on Irish history from its library was taken in consultation with the Lord-Lieutenant, and is to be regarded as enjoying his approval.

MR. BIRRELL: The Royal Dublin Society was founded in 1731 for the promotion of husbandry and other useful arts and sciences. It does not receive any contribution from public funds, and I have no power to limit its action in the manner suggested. Lord Ardilaun is its President, and the Lord-Lieutenant its vice-patron. The selection of books for its library is not a matter which comes under the notice of His Excellency, and I have no information on the subject. In virtue of the agreement under which the society handed over its books and collections to the Government in 1877, members of the society elected before 1878 can borrow books from the National Library for one month. That agreement cannot be altered.

MR. BYLES (Salford, N.) asked if the banishment of a book from a library was not the surest way to provide a circulation for it.

MR. BIRRELL: I know nothing about that.

MR. MOONEY (Newry): May I ask when the Estimate under which certain sums were paid to this Society for promoting the breeding of cattle was altered?

MR. BIRRELL: Surely there is no connection between that and grants for the library.

Mr. MOONEY: But so long as money is voted for any purpose whatever to the Royal Dublin Society, surely the right hon. Gentleman has some power over that body?

Mr. BIRRELL said his information was, and it was not likely to be incorrect, that the Royal Dublin Society did not receive contributions from public funds. He could exercise no authority over the book committee of a lyceum or society of this kind.

Charge against an Irish Member.

Mr. JOHN O'CONNOR (Kildare, N.) asked if there was any truth in the report that a Member for an Irish constituency was about to be brought before an Irish Judge on a charge of having published news in a newspaper concerning a matter of public importance.

Mr. CHERRY: Proceedings are being taken in the King's Bench Division of the High Court against a Member of the House, in reference to a publication of matter in a newspaper belonging to him. The case will be proceeded with on Monday or Tuesday next.

Mr. JOHN O'CONNOR asked under what statute, and was it for publishing public news of local public interest.

Mr. CHERRY: Under the statute of Ed. III. and Common Law. I am afraid I cannot give the hon. Member any further information.

Mr. JOHN O'CONNOR: Is it the fact that the Irish Government are entering into competition with the Indian Government in the prosecution of newspapers?

[No Answer was returned.]

Irish Mail Service.

Mr. MOONEY: I beg to ask the Postmaster-General whether his attention has been called to the announcement that in the new year the steamers of the London and North-Western Railway Company sailing to Kingstown from Holyhead will start from that port at 4.10 p.m. instead of at 7.10 p.m., as at present, and that the incoming steamer will arrive at Holyhead at 2.30 p.m. instead of 5.10 p.m.; and whether, in view of the fact that if this alteration is made the steamers of the London and North-Western Company would arrive at Kingstown within the interval of the arrival at Kingstown of the day mail steamer and the departure of the night mail steamer, and owing to the limited accommodation might thereby impede the punctuality of the mail service, he will have careful inquiries made and have all necessary steps taken to prevent the City of Dublin Steam Packet Company being interfered with or prevented from carrying out the terms of their mail contract.

Mr. SYDNEY BUXTON: I am informed that the London and North-Western Railway Company do not contemplate any such alterations in the times of their steamer service between Kingstown and Holyhead.

Scottish Government Departments.

Mr. AINSWORTH (Argyllshire): I beg to ask the Prime Minister whether, when introducing legislation to give the Board of Agriculture a paid Under-Secretary with a seat in Parliament, he will, at the same time, consider the advisability of creating an Agricultural Department for Scotland with separate Parliamentary representation.

Mr. GULLAND: At the same time may I beg to ask the Prime Minister whether he will consider the advisability of appointing an Under-Secretary for Scotland who, in addition to administrative duties, would be responsible for Scottish business in the other House from that in which the Secretary for Scotland is a Member.

Mr. ASQUITH: All these suggestions will receive consideration, but I can say nothing as to how they will ultimately be decided.

The Suspension of Mr. Grayson.

Mr. BELLOC (Salford, S.) referring to Standing Order 18, asked Mr. Speaker if he was right in supposing there was no machinery provided for the return of a Member to the House after his suspension under subsection (2). Formerly, before

February, 1902, the suspension was for a certain length of time.

*Mr. SPEAKER: The hon. Member is quite correct. Until the Rule is altered or rather completed, no period is fixed for the time of suspension, but there has been one case or more of a Motion being made for the return of a Member after the lapse of a certain time, and that course might be followed.

Mr. BELLOC said he supposed it would be too late now, but he would take the earliest opportunity to move for the readmission of the hon. Member for the Colne Valley division.

BUSINESS OF THE HOUSE.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.): Why does not the right hon. Gentleman propose to take the Hops Bill to-night?

Mr. ASQUITH: In consequence of the fact that, judging from the appearance of the Order Paper, it has developed into a controversial measure.

Mr. AUSTEN CHAMBERLAIN: Cannot the right hon. Gentleman use his great influence with his followers to withdraw their opposition to the measure?

Mr. LAURENCE HARDY (Kent, Ashford) asked the Chancellor of the Exchequer whether he would consider the possibility of proceeding in Committee on the Hops Bill so far as Clause 1 was concerned, even though the second part of the Bill should be dropped in view of the opposition of which notice had been given.

Mr. LLOYD-GEORGE agreed it would be worth while saving that part of the Bill, but inquiry would have to be made to ascertain if that part would be non-contentious. The Prime Minister had said the Bill would not be proceeded with unless it could be considered as of a non-contentious character. If the clause could be so described then the Bill might be confined to that clause.

Mr. BYLES: Pure protection.

Mr. AUSTEN CHAMBERLAIN: There appear to be nearly as many Amendments down to the Tuberculosis Prevention (Ireland) Bill which it is proposed to take.

Mr. ASQUITH: But they are not of so menacing a character.

LOCAL REGISTRATION OF TITLE (IRELAND) AMENDMENT BILL.

Lords' Amendment to be considered forthwith; considered, and agreed to.

HOUSE OF COMMONS (ADMISSION OF STRANGERS).

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 371.]

PUBLIC PETITIONS COMMITTEE.

Eighth Report brought up, and read to lie upon the Table, and to be printed.

APPLICATION OF SINKING FUNDS IN EXERCISE OF BORROWING POWERS.

Report from the Select Committee brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 372.]

Minutes of Proceedings to be printed. [No. 372.]

HOUSE OF COMMONS (KITCHEN AND REFRESHMENT ROOMS).

Report from the Select Committee brought up, and read.

Report to lie upon the Table and to be printed. [No. 373.]

MESSAGE FROM THE LORDS.

That they have agreed to: White Phosphorus Matches Prohibition Bill, without Amendment.

Education (Scotland) Bill; Prevention of Crime Bill; Perth Corporation Order Confirmation Bill; Ards Railways Bill, with Amendments.

Housing of the Working Classes (Ireland) Bill.—That they insist on one of their Amendments to which the Commons have disagreed and assign their Reason; they do not insist on one other of their Amendments, but propose an Amendment in lieu thereof; they agree to the Amendment made by the Commons to the Amendments made by the Lords with Amendments, to which they desire the concurrence of this House, and do not insist on their remaining Amendment to which the Commons have disagreed.

EDUCATION (SCOTLAND) BILL.

Lords' Amendments to be considered To-morrow, and to be printed. [Bill 407.]

PREVENTION OF CRIME BILL.

Lords' Amendments to be considered To-morrow, and to be printed. [Bill 408.]

PUBLIC ACCOUNTS COMMITTEE.

*COLONEL R. WILLIAMS (Dorsetshire, W.): In rising to move "That the three Reports of the Public Accounts Committee be now taken into consideration," I desire to thank the Government for giving the House this opportunity for helping to turn a precedent into a practice—a precedent set by the right hon. Gentleman the Leader of the Opposition in 1905, followed by the late Sir Henry Campbell-Bannerman in 1906, and cordially continued by the present Prime Minister. These Reports differ in one respect from those of the previous year, in that most of the muddles arising out of the South African War have gradually been got rid of, after a great deal of perseverance on the part of the Comptroller and Auditor-General and his staff. I can only say, with regard to a certain outstanding claim between the Mother Country and one of the Colonies which has been abandoned, that in this one case at least the Treasury have felt that it was not much use making further representations, and have left the matter to the conscience of the Colony concerned. There are two questions in these Reports which are of considerable importance, and both of them requiring legislation. The first is a question which arises in paragraph 11 of the first Report, dealing with certain expenses which, though properly chargeable on the rates, have been paid by the Treasury. The question is as to whether it is possible for Parliament to override the provisions of the existing statutes. This question was raised last year by the right hon. Gentleman the Leader of the Opposition with regard to an educational grant of £100,000 which was given for the building of schools. You, Mr. Speaker, were appealed to on that occasion—it was on 22nd July, 1907—and your answer was that the question would come before the Committee on Public Accounts, and further that two questions arose out of it, the first as to whether the House of Commons could disobey an Act of Parliament, and the second as to whether the House of Commons ought to disobey an Act of Parliament. Your concluding remarks, Sir, were, with regard to the first question, that you thought it was obvious that the House of Commons could disobey an Act of Parliament, and with regard to the second question, that that was a matter which you must leave to the conscience of the House. The House will see that the Committee on Public Accounts has gone no further than you thought it right to do, because they say that there is no doubt that it is within the discretion of Parliament to override the provisions of an existing statute by a Vote, and they prefer to leave it to the conscience of the House and not to say whether that ought to be done or not. Personally, I must say that I am strongly of opinion that the House ought to obey its own Acts of Parliament and that, unless they are properly repealed, they ought to be obeyed, and that a mere reference in the Appropriation Act to a Vote ought not to be reckoned sufficient to override previous statutes. All your Committee have recommended has been that where any Vote does override any particular statute, it should be so stated on the face of the Estimate, with the reasons for adopting that course; and in the Estimates for 1908–09 the Acts which are overridden by this particular Vote are so stated, but the House will notice that the Committee think it of great importance that, should a service be continued and paid for by Parliament, the governing statutes should be repealed or amended, and I hope the Government will take that course into consideration. The other case calling for legislation is a very curious one arising on the next paragraph—paragraph 12—of the first Report. That deals with a most curious misprint in the revised edition of the statute where the Secretary of State for War can now cause any military lunatic to be committed on discharge to a lunatic asylum, and be chargeable to the rates. In Great Britain a man so committed does become a charge on the rates, and Votes of Parliament are only charged if the man had been a military prisoner at the time, and was committed as a military prisoner; and the charge on the Vote only lasts for so long as he is a prisoner. After he ceases to be a prisoner he becomes chargeable to the rates. There was a misprint in the Criminal Lunatics Act, 1884, and the word which in the English statute is "prisoner" in the Irish Act becomes "person." The consequence is that the soldiers committed to an asylum for dangerous lunatics, whether prisoners or not, are now charged on the Prison Vote instead of on the rates. Although Bills several times have been introduced with the object of overcoming this difficulty, they have so far failed to pass into law, I suppose, because the Irish authorities have restricted this small charge. As it is a point which needs amendment, I hope the Government will take this question also into their careful consideration. The question of Parliamentary control being made or kept more effective arises more than once in the Reports. It arises, I think, in all three Reports, in the first Report on the question of Revenue buildings, in the second Report on the question of triennial contracts, and in the third Report on the question of Admiralty contracts. The question of Revenue buildings is very important. In the Estimates there is a long list of a great many Revenue buildings, such as post offices, bankruptcy Courts, and all sorts of Courts, which are presented to be dealt with during the year. It often occurs that some accident happens which causes delay, so that a building cannot be completed. On the other hand, it often happens—and it did happen in one case last year—that a work which has never been put on the Estimates, but has been long desired, suddenly becomes possible, because, as in this case, land falls in which is very much wanted. The land was, very properly, purchased, and the work begun at once, but as a matter of fact, that particular work had never been sanctioned by Parliament, although expenditure on similar works had been so sanctioned. The Committee have given careful consideration to the question as to how this might be avoided and how works which had never received full Parliamentary sanction might be brought within the purview of Parliament. They did not see their way to recommend a large alteration in the system, and only recommend that a strong distinction should be drawn between the diversion of money to a building already sanctioned and the diversion of money to one that has never been on the Estimates. The Committee did at one time think it would be possible for two lists to be presented to Parliament, one for work intended to be undertaken during the year, and the other for supplementary works which could be undertaken if any one of the works in the first list fell through, but it was represented that there were so many difficulties in the way that it was not a practical proposal, and they had to content themselves to urging the Treasury to exhibit the utmost jealousy in this matter. Another subject which deals with the effective control of Parliament is the question of triennial contracts in paragraph 15 of the second Report. It was a War Office question where the Army Council had thought they were at liberty to vary the limits of triennial contracts without reference to the Treasury; but the Committee cannot see that this is a licence that ought to be granted to the Army Council. When once the limits of triennial contracts are fixed by the Treasury the War Office ought to abide by them until they can get Treasury sanction for the alteration, and can prove satisfactorily to the Treasury that the larger figure is really for the advantage of the public service. Another question arises out of that. It appears that in these triennial contracts, so long as there is a contract for any particular amount remaining, the contractor is bound to have any work which comes within the terms of the contract and within the amount of the contract, so that supposing a building had to be put up, and a builder had the contract for all the building work up to £400, and another contracter had the contract for all the foundation work up to £400, and another the contract for the glass and iron work, for roofing, etc., up to £400, although the building might amount in total to more than the limit to which the Army Council might go, it appears that the triennial contractors are bound to have these contracts given to them, and that thereby a building which costs £1,200 may be undertaken by the Army Council without the sanction of the Treasury because the contractors have the contracts for the amounts of £400 each. Your Committee have been obliged to say that they cannot agree with the arguments of the War Office in this matter, and that they consider the general rule to be in such cases that the thing should be put to open tender. The other case in which the question of Parliamentary control comes up is the question of Admiralty tenders. There, of course, the Committee were on more difficult ground. The question of putting large battleships out to contract, with new designs, is a very difficult one. In the Reports the Committee have done what they could to make it clear that they expect the Admiralty on every possible occasion to take counsel with the Treasury, and above all, not to undertake large works without giving them out to tender, unless in cases of really great national importance.

Now, turning to the Reports themselves, there is nothing of very great interest in them. I am glad to say that the demands of the Auditor-General with regard to the money spent in diplomatic services have been met, and that all sums passing through these channels are now brought under his purview. There is an interesting note from the Reports, and that is the continual progress of the Crown Colonies in Africa, which is evidenced by the fact that the six Crown Colonies in Africa required £100,000 less grants-in-aid last year than the year before, which is very satisfactory testimony to the administration of these Colonies by the officers there. It is curious that apparently nickel coinage is appreciated in West Africa before it is here, and that the Mint make considerable profit out of furnishing nickel coins in certain parts of West Africa. I am glad to notice that the issues from the Consolidated Fund on account of the Uganda Railway have now ceased. It is not contemplated to issue any further amounts for that purpose, and the Treasury have already made a Minute providing that this shall cease. Turning to the second Report, which deals with Army Accounts, both the first and the last paragraphs bear witness to the harmonious working of the War Office and Exchequer and Audit Departments generally. The Appropriation Accounts are rendered more rapidly than before, although I am afraid they have not much chance that they might be dealt with by 31st March. The Appropriation Accounts for the Army are now got out much earlier than before, and a more careful examination is applied to them. I am also glad to notice that the surplus in the Army Appropriation Account is getting smaller year by year. It is a gratifying result of the working of the new system, and the new staff are gradually getting ito their work. The thing to be avoided is the constant change of staff and the change of too many of the staff at once. It is the tendency of all men coming into a new office to over-estimate their requirements, and therefore the less changes that can be made of these officers of the Army who have to frame the Estimates the better it is. The difficulty of estimating is a good deal increased by decentralisation, because there are in consequence of that a good many more officers concerned—general officers in command of districts and so forth—and they are all naturally anxious to estimate as highly as possible. The multiplication of estimating authorities is apt to swell the Estimate unduly, and therefore, to swell the surplus unduly. On the question of the Engineer Store Account the Committee have felt constrained to draw rather serious notice to it. This is to be found at Store Accounts of the Army, Paragraph 24, of the second Report. Your Committee are glad to know that the Treasury have sanctioned a new staff altogether, an expert store-keeping staff for these Royal Engineers stores, and moreover they hope that the responsibility of the officers is being gradually realised. I think it has been in times past, that officers have received a statement for the purpose of passing it on, but have not been careful to realise that the statement which they pass on to somebody else ought to be verified, and did not take that course. It is almost impossible in the hurry of war to do so, but it is very important that it should be very seriously understood that however small the statement is whoever passes that statement on makes himself responsible for it. There is one subject which runs more or less through both the Army and Navy Reports, and that is, the necessity of grave co-ordination and revision of the regulations. Over and over again there are cases where officers have misread the regulations, or else they have had regard to an obsolete regulation or one for which another regulation has been substituted, and it does seem to the Committee that more care ought to be taken in the constant revising of regulations, both of the Army and the Navy, and in co-ordinating the regulations of the various branches of the service, so as to make them perfectly intelligible, and not only intelligible but so clear—I will not say that it is impossible that they should be misread, because there is no getting to the bottom of human possibility of mistake, but unlikely that they should be misread and not acted on properly. In the Army Report there is one subject of very great importance indeed; I refer to what has been known as the Stock valuation return. The Report of the former excellent Accountant-General of the Army—the Director of the Finances of the Army — characterised that return "as a work of supererogation not worthy of the trouble bestowed on it"; but at the same time it is very necessary that Parliament and the nation should be assured that the stocks in hand are what they are reported to be, and that a proper reserve is kept up in the Army. That is quite easy because there is a reserve, known as the Mowatt Reserve, which is laid down as the minimum which ought to be kept in store, and your Committee are of opinion that the best way of dealing with the matter would be to do away with the stock valuation return, but to ask for a certificate to be rendered annually to Parliament, as early as may be, to the effect that the Mowatt Reserve is fully and duly kept up. The certificate is to be rendered by someone responsible to Parliament. It should be rendered with the Estimates, although I believe there is a further proposal on the question, and it will come before the Public Accounts Committee again, because the form of the certificate, the person by whom it is to be rendered, and the time at which it is to be rendered are still under consideration. But the change is one which your Committee consider to be eminently desirable in the interests of the public and in the interests of the nation. The last paragraph of the second Report, the Army Report, deals with the question of the Director of Army Finance, and the Secretary of State for War was good enough in answer to two Questions to say that in any modification which would be made in the position the principles laid down in the second Report of this year would be carefully and accurately respected, and the financial control of officers would be in no way weakened, but he would lay documents dealing with the duties of the Financial Secretary. I hope the time may come when that Paper will be laid, but it seems to me that the two functions of the Assistant Director of Finance should not be mixed up. He is the Assistant Financial Director, and as such is responsible to the financial member of the Army Council, but as Accounting Officer of the Army he is responsible to the Secretary of State for War alone, and he ought to be able to have direct access to the Secretary for War, because any alteration which he is authorised to make must be made on the authorisation of the Secretary of State and only of the Secretary of State. It is very important to keep clear the two functions. As Director of Army Finance and Accounting Officer; in one function he is responsible to the financial member of the Army Council, but in the other he is responsible to, and ought to be in contact with, the Secretary of State for War.

The only thing which I need say on the Navy accounts is that it would seem to be of advantage if it were possible to get for the Navy some sort of Mowatt reserve as in the Army. The Navy are under a statutory obligation to furnish certain valuation returns, and with those, of course, we cannot interfere, but it is worthy of consideration whether it would not be possible that the Navy should be able to furnish to the House and to the Nation some sort of certificate in the same way as it is proposed for the Army. The only other question arising out of Paragraph 24 the Third Report is that the Committee of Public Accounts in the Second Report of 1898 recommended that with or without Supplementary Estimates Parliament should be informed at the earliest possible opportunity of any alteration of programme. In regard to the programme of 1906–1907 Parliament was only informed of the alteration of the programme by a statement by the First Lord of the Admiralty in Parliament in July, 1906, and though your Committee are informed that that statement was made in order to carry out the recommendation of the Public Accounts Committee, and while they appreciate the intention of carrying it out they think that a mere statement to the House is not sufficient, and an earlier presentation of a Paper, if not of a Supplementary Estimate, would be very desirable. I think that those are the only observations I need make on these Reports of the Committee, but I want to thank the Government once more for continuing the practice of recalling to the House the fact that its functions are not merely the control of the finances of the nation but also the control of the accounts as well. I also think, indeed I know, the Committee would like me to say how zealously they are served by the Comptroller and Auditor-General, by his Assistant and by his staff; how effectively and willingly all requirements are met by the officials of the Treasury who come before them, and how they think that there is a real desire on the part of the officers of the spending Departments to conform to the demands of Parliament and to keep their expenditure within reasonable bounds. At the same time, I think the functions of the Public Accounts Committee are very valuable, and I should like to take this opportunity of saying that I believe that the members of few Committees in this House attend so regularly, or when they are there take such a keen interest as the members of that Committee, and the House may be satisfied that the Committee does its best to carry out the functions entrusted to it. I beg to move "That the Reports of the Public Accounts Committee be now taken into consideration."

*Sir D. GODDARD (Ipswich) said he had much pleasure in seconding, and he should like to represent the gladness they all felt that the Government had again given them another opportunity of considering the Reports presented to the House, and bringing them directly under its attention. He should like also to add his testimony to the exceeding ability and thoroughness with which the Auditor-General and his Department carried out the important work which the House entrusted to them. The work of the Public Accounts Committee and the Reports which they presented were, he thought, a very important part of the control of Parliament over national expenditure, and he would like to take the opportunity to impress on the House the importance of maintaining as much control over the expenditure as it was possible to do. Of course the principal means of Parliamentary control over expenditure was through the Estimates which were regularly presented to the House, although he noticed that when they were considering them a great deal of time was devoted to the discussion of great principles involved, rather to the exclusion of some financial details which were bound up in those principles. He did not find fault with that, because after all, principles controlled expenditure, and details depended upon them. At the same time he regretted the growing tendency of the House in discussing Estimates to pay more attention to some great matter of principle rather than to the financial aspect of the question. Another matter was—he hoped in this session less than usual—the large number of Votes which escaped criticism altogether, and never came under the observation of the House, and to that extent the assembly lost control.

Parliamentary control would be very greatly improved if the recommendations of the Committee on National Expenditure set up some years ago had been adopted. One was that there should be a Committee of Estimates as well as a Committee on the Appropriation Account. It was said that the Public Accounts Committee had not much control over expenditure because they dealt with accounts that had been voted and expended eighteen months or two years before; and that therefore it was useless to go into the question of extravagance with regard to them. But the Public Accounts Committee did exercise considerable influence over the expenditure of the nation. Many recommendations were made which led to the keeping of better accounts and to other improvements. There was, for example, an aggregate of contracts amounting to £261,000, and further expenditure of £163,000; that latter expenditure was undertaken without any competitive tender at all. The Committee had elicited that all these expenses occurred before the Report of the Public Accounts Committee in 1906, and that no such arrangements had been made since that time, nor were they likely to be made. He thought that was an illustration of the usefulness of the Committee. He agreed with the Chairman of the Public Accounts Committee in his Minute in the Second Report, that in no circumstances should the War Office be permitted to lessen the financial responsibility of the accounting officer and his staff. That matter was carefully looked into, and the Committee considered it was essential for effective Parliamentary control over military expenditure that this Minute should be carefully observed. That was a matter the House should not lose sight of because there had been a tendency to make changes such as that which would have been made by the Army Council Bill that was introduced and afterwards withdrawn. There were several causes which helped to diminish the effectiveness of the control of Parliament. The most vital was the power, known as *virement*, given to the Treasury, to sanction variations in the Estimates passed by Parliament, and enabled surplus money unspent on one or more subheads of a Vote to be used to meet deficiencies caused by over expenditure on other subheads. In the case of the Army and Navy there was an extended power of allowing money unspent on a whole Vote to be transferred to meet deficits caused by over-expenditure on other whole Votes. Few Members of Parliament really realised how that power of the Treasury worked out. He was not at all sure that it could be avoided altogether; nevertheless the greatest vigilance ought to be exercised in guarding the use of that power. The Treasury, in reality, was empowered to revise the decisions of Parliament. In the accounts under review the Vote for the Navy was £33,500,000, under practically seventeen heads. Of these heads, eleven had surpluses amounting to over £1,000,000, while six had deficits amounting to £643,000. Under the power conferred upon them the Treasury consented to allow the surpluses to be used to cover the deficits. The effect of that was that the balances surrendered to the Exchequer were reduced from over £1,000,000 to £400,000. He was not suggesting that there was anything wrong in such payment of money, but it meant that the Navy spent on certain votes £643,000 more than Parliament voted for those purposes. It was quite conceivable that if this large amount had been added to the Estimates Parliament might have refused the expenditure, and, therefore, that large sum was lost to Parliamentary control. Great changes were effected in this way. On Vote 9 for the Navy (Armaments) there was a saving of £260,000, which was swallowed up by a deficit of £265,000 upon shipbuilding, Vote 8 (Material). He could not help thinking that this power went a little too far. As to the Army; on Vote 11 (Military Education) there was a deficit of £2,300; on Vote 15 (Non-effective Charges) a deficit of £32,700; but these were met out of a surplus on Vote 1 for Pay of Army, of £358,000. But the evil did not end with losing Parliamentary control. It resulted in bad Estimates. Of course, no one would suggest in connection with a Department that an over-estimate was put into an account for the purpose of finding money for something else; but, after all, they could not ignore human nature, and those who had the preparation of Estimates had great incentives before them in this matter. They all desired to avoid a deficit, which meant that a bad Estimate had been made, and one naturally fell back upon the people which made the Estimate. It also had the effect of requiring a Supplementary Estimate to be laid before the House, and those who were in charge of the Votes in the House did not like Supplementary Estimates because they involved bringing before the House of Commons the whole or the greater part of the Vote, thus causing discussion which might occupy a great deal of time. One incentive was that it was a very nice thing after all to have a little nest egg on which to draw. That was the first thing which arose from this plan. The second was that it involved very serious changes in the Estimates that had been passed by Parliament. The fact was that money voted for one purpose was either not spent or was only partly spent, and the object for which it was voted was either left undone, or was not completed, or was only done in a small way. Meanwhile the money voted for that object was spent on something else. In this way they started entirely new works, which often proved very expensive, without any Parliamentary sanction whatever, but merely done with Treasury sanction. ["No."] He would give illustrations to show that he was correct in what he was saying. Take the Army Account, Vote 10. There were six subheads in this Vote, and in respect ot these there had been an expenditure of only £47,000. This meant that out of these six subheads four had a surplus amounting to £98,000, or about two-thirds of the whole amount voted. Take subhead (*b*) barracks and hospitals. The Vote was for £10,000, and the expenditure was £18,000. It was worth while looking at the evidence given in the Report. Four of these items were abandoned for one reason or another; four were not commenced during the year—that sometimes happened, and it could not be avoided—on eleven the progress was less than expected; one was a continuation from the previous year; one was considerably in excess of the Estimate; and there was one new item which was not in the Estimates at all, and which was begun with Treasury sanction. He knew there were difficulties which prevented the money being spent—doubtless difficulties in acquiring sites, or sometimes difficulties in regard to foundations for buildings as the Chairman of the Committee had pointed out. Take Subhead N, Vote 10, Fortifications. Here the Vote also was £100,000, and the expenditure £115,860. What was the reason of that excess of expenditure? One item was not proceeded with; on seven items the progress was less than anticipated; three items on which there was an excess of expenditure were carried out with Treasury sanction, and on ten items there was no estimate at all before the House—they were begun with Treasury sanction only. On the ten items begun with Treasury sanction, and not by control or vote of the House, £31,458 was expended during the year. There might be, and probably would be, further liabilities in regard to expenditure of that kind. In Navy Vote 10 they had examples of the variations in the estimates. For the public station, Portsmouth dockyard, the original estimate passed by the House was £11,600, which was revised and raised to £31,600. For Sheerness harbour protection the provisional estimate of £6,800 was increased to £11,000. Turning Granville Hospital into a Marine barracks was originally estimated at £3,000 in the first instance, then £7,500, and afterwards £8,300. These were the sort of variations which occurred in the estimates. He now came to the third heading showing the new works commenced with Treasury sanction only. In the Civil Service, Class I., Vote 5, in respect of the public works, Swansea, and the acquisition of the site and erection of buildings—he thought it was in connection with the Bankruptcy Court—no estimate was ever put before the House for that expenditure; Parliament had never had a word to say about that work at all. The sum of £1,267 was spent with the Treasury sanction out of the savings on other items. The building would involve a cost of, say, something like £7,500. That had been given in evidence he believed. Over that expenditure of £7,500 Parliament lost all control whatsoever. It would be said that it came up next year; that was perfectly true, but when they had spent £1,200 they were compelled to vote the balance of the money to complete the work.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): Was the expenditure on the site?

*SIR D. GODDARD thought it was the site and buildings. Then take Vote 8, the Revenue Buildings: there were seven new works started during the year with Treasury sanction only. The expenditure during the year was £1,720, and there was of course much further liability upon all those works. There, again, he did not think it would be possible, since these works were started, for Parliament to withhold the balance. In the Navy Vote 10, there was an item as to a culvert from the river to the basins in Chatham dockyard, which was to cost £5,300, but no estimate had been before the House, and the work had been carried out. Another item of £2,900 for the training establishment, and additional accommodation for boy artificers, had not been before Parliament at all. He was not contending that these works should not be carried out, for probably it was most desirable that they should be carried out; he was only dealing with the point that, so far as Parliamentary control was concerned, they never had an opportunity until after the money was spent of having a word to say in regard to them. He saw very little chance of reducing expenditure in respect of all these items if works could be carried out in this way without any Parliamentary sanction or control. He supposed that any suggestion of varying or reducing the power given to the Treasury would be met with the reply that if they did that it would inevitably lead to over-estimating in the Departments. He thought that would be the general answer to the proposition. At all events, if the Departments chose to put in over-estimates, they would have to come before the House of Commons, which would have an opportunity of discussing them and of saying whether they agreed. He had felt that a number of Members of the House might not know all these details which really only came under the notice of members of the Public Accounts Committee, and this was the one opportunity they had of bringing them to the notice of the House. With these remarks, he had much pleasure in seconding the Motion.

Motion made, and Question proposed, "That the Reports of the Public Accounts Committee be now taken into consideration."—(*Colonel Williams*).

MR. BOWLES (Lambeth, Norwood) said he should like to associate himself with everything the hon. Gentleman the Chairman of the Committee had said in expressing the obligation which they felt to the Government for having allowed them this opportunity of discussing the Report of the Public Accounts Committee. For his part, he wished it had been possible to give them the opportunity earlier in the session and before August, because that would, at any rate, have relieved to some extent the necessarily rather antiquated character of a debate of this description, and he hoped that in future it might be possible to allow the House a little more time for consideration of the Reports. The question was: "That the Reports of the Public Accounts Committee be now taken into consideration." The result of that form of putting the Question was that the moment the Motion was carried the House immediately proceeded to consider something else, the effect of which was, as it seemed to him, that the House never actually expressed its agreement with the Reports at which the Committee had arrived. Technically, this was the last link in the chain of Parliamentary control, and he would suggest whether it would not be better in future that there should be some expression of agreement of that sort. For some reason he had never understood, the Public Accounts Committee had always chosen to make its Reports on the accounts of the year in three parts, and it would be difficult to ask the House of Commons in one Resolution to agree to all three Reports containing very varying propositions. Consideration of this matter had led him to ask whether the better course in the general interests of this procedure would not be that the Committee should issue in fact as well as in name one Report on the whole Appropriation Accounts of the year, although perhaps in instalments and with interim Reports—that it should not be first, second, and third Reports, but one Report to which the House before the year was out should give its express assent. They were dealing here with both sides of the accounts for the financial year 1906–7, and they amounted to an examination by the Committee of a total raised and expended of no less than £166,986,719, and that was the true and real expenditure upon the Government services of the country during that period. There was one duty and one power which had always been admitted to lie upon the Public Accounts Committee—that of considering any changes which might be proposed and, if necessary, of suggesting changes in the form of the account of the national expenditure. That really must be so, because it was only through accounts that the Committee could do its work and that Parliament would be informed what was the real situation with regard to finance in any particular year. He thought it was a most extraordinary thing that in a great commercial country like this, and one in which national finance had been the subject of thought and care on the part of so many great men, there should be at this moment no single account presented to Parliament which gave or even pretended to give an exact true and complete statement of Imperial expenditure which had been undertaken for any one year. It really was literally true, as could easily be shown. He had taken some trouble with this. There were six accounts presented to the House and the country of the expenditure of this particular year 1906–7 to which any taxpayer could go who wanted to find out how we stood in regard to any item. There was first of all the Budget statement made at the end of the year, there was the Finance Account, there was the Statistical Abstract, there was the Return of Public Income and Expenditure, there was the further Return which purported to be a Return of national expenditure for a particular purpose, and there were the Appropriation Accounts. It was a very remarkable thing that the first four of these gave one figure—they all agreed—the Fowler Return gave another, and the Appropriation Accounts gave a third, and in his belief the figures which were brought under the review of the Public Accounts Committee were different from each one of these and larger than any of them. According to the Budget statement, the Finance Account, the Statistical Abstract, and the Income and Expenditure Return, the cost of the Army was £27,765,000. According to what was called the Fowler Return, it was £26,878,477. According to the Appropriation Accounts it was £32,000,000 odd, and according to the Prime Minister in a speech he made to the House in direct contradiction to his own Budget statement, amusingly enough as he thought, it amounted to well over £32,000,000. In all cases the accounts were different, and it seemed to him that in the interest of the taxpayer and of the House and the country as a whole, the time might really have come when with the assistance of the Public Accounts Committee some attempt should be made to render to the country and to Parliament a real, full and complete statement of the expenditure on national services during the year. That was not done now, and it appeared to him that it ought to be done. He would like to deal with two points raised by the Report of the Committee of very great importance. The first was Paragraph 11 of the first Report. It dealt with the practice of overriding any existing Act of Parliament by means of a vote taken in Committee of Supply and supported by the Appropriation Account of the year, and the Committee unanimously laid down this rule.

> "In cases where such an emergency arises, and there are reasons against the amendment or repeal of the statute governing the case, your Committee recommend that the fact that the proposed Vote overrides an existing statute should be clearly stated on the face of the Estimate, with the reasons for adopting that course, so that no doubt can exist of the deliberate intention of Parliament. The exceptional nature of the Vote should also be indicated in the Appropriation Act."

That matter was evidently one of importance, and it was not a new matter. It had certainly twice before been before the Public Accounts Committee and the Treasury, and the Committee had always been perfectly clear that this was constitutionally and financially an improper and dangerous thing, and the Treasury, he believed, had always agreed and heartily supported that view. He gathered the impression from the Treasury that they still held the opinion that to over-ride the provisions of an Act of Parliament by the Estimates was constitutionally and financially a dangerous proceeding. They might make in that way great changes in policy. They might alter the whole system of administration of a particular branch of the public service from beginning to end by altering the direction and the object of the various grants on which that service depended. If they were going to make administrative changes they ought not to do it otherwise than under the full and free discussion which alone could be secured if the change was carried out by means of statute in the ordinary way. The effect of doing it in this way was to deprive the House of any opportunity of adequately discussing the matter. That evidently, therefore, was a matter of considerable importance, and the Committee unanimously upheld the view which it had always held whenever this question had been brought before it that it was an improper and dangerous thing to do. This first Report was presented to the House, and was in the hands of the Government early in June last, but the Government, in fact, went on with proceedings of exactly that character, while it was perfectly open in the succeeding Appropriation Act in August to adopt the recommendation of the Committee by indicating what they were doing in the Appropriation Act. Where the entry under the Educational Vote occurred, the Government for one reason or another did not adopt that part of the recommendation by indicating in the Appropriation Act of last year the reasons for the course they were taking with regard to the £100,000 to which his hon. and gallant friend had referred. He did not refer to that particularly to complain of the Government, but they would be glad to know what view the Government took of their liabilities under the recommendation of the Committee in the future. Did the Government intend to adopt the recommendation of the Public Accounts Committee? Did they intend only to resort to this practice as rarely as possible, and only for a temporary emergency? If so, the House might be assured that this course would not be adopted for the third time during the forthcoming year. Might they take it, when this course was adopted in future, that it would only be because of temporary emergency, that in every case the fact of its being adopted would be clearly stated in the face of the Estimates, that it would be indicated in the Appropriation Act, and that in this particular case of the educational £100,000, and in the case referred to by the Report of the Committee, the statutes which were being over-ridden in this way would be amended or repealed in accordance with the plain recommendation of the Committee? That was a matter upon which, in view of the clear and distinct views of the Committee, the Government might properly be asked to give them their views. The other point was also of great importance, and was raised in Paragraph 39 of the second Report dealing with the position of the Accounting Officer of the War Office. They expressed a very strong opinion that under no circumstances should any change in the administration of the War Office be permitted to impair the independence of that branch or to lessen the direct financial power and responsibility of the Accounting Officer and his staff. The Committee regarded this independence and undivided responsibility of the Accounting Officer as essential to the proper discharge of their duties, and to the maintenance of effective Parliamentary control over military administration and expenditure. That dealt directly with the position of the Accounting Officer of the War Office, who came before the Committee to account for some £32,000,000 of expenditure in the year. It had been announced that changes in the title of this officer were being made, or had been made, and he desired, in view of the recommendation of the Committee, to ask the right hon. Gentleman for an assurance and explanation with regard to that matter. The House was well aware of the vital importance of the place of the Accounting Officer in the whole fabric of that system. It all depended on that. He was the vitally important man. He it was who was personally responsible, not to the Department but to Parliament, for the correctness of the accounts, and for the legality and the propriety of the expenditure.

He might refuse to issue any money from his Department, even though it might be ordered by all the great authorities of the Departments, subject only to the power of the Secretary of State himself to discharge him from that responsibility. If the Accounting Officer in any Department was to exercise these vitally important functions as they should be exercised, he must necessarily have what every Accounting Officer hitherto had had, an absolute power to advise and guide the spending officer as to the legality and propriety of the expenditure. The Accounting Officer of the War Office was appointed by the Treasury, and he had been up till now the Director-General of Army finance. By Order in Council of 10th August, 1904, the powers and duties of that officer were defined, and they were told—

> "The Director of Army Finance will act as Deputy and Assistant to the Finance Member of Council, and as the Accounting Officer of Army Votes, Accounts and Funds shall be charged with the allowance and payment of all monies for Army services; with the accounting for and auditing all cash expenditure, and preparing the annual accounts of such expenditure for Parliament; with the audit of all manufacturing expense, supply and store accounts, and with advising the administrative officers at the War Office, and in commands on all Questions of Army expenditure."

Under this system, which had existed up till now, the Accounting Officer of the War Office had been given directly and expressly by Order in Council the power of advising administrative officers at the War Office and in command on all matters affecting Army expenditure. That power was confined by the terms of the Order in Council to the Director of Army Finance. He understood it was now proposed that the Director of Army Finance should cease to exist.

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Acland, Yorkshire, Richmond): It is an alteration in name and nothing else.

Mr. BOWLES said he understood the office had been abolished, and the Order in Council no longer really applied to anybody, because there was no Director of Army Finance, and the express duty and power given by the Order was withdrawn. If the change was made, and there was no new Order Council——

Mr. ACLAND: There will be in another week.

Mr. BOWLES: A new Order in Council exactly similar in terms?

Mr. ACLAND: Exactly.

Mr. BOWLES said that no doubt that met his point.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): In every substantial and material respect the same.

Mr. BOWLES said he did not know what that meant. The right hon. Gentleman went to the trouble of altering the name of an officer in the War Office who was entrusted with vitally important powers in the control of finance. He could not alter the name because he thought some other name would sound better or prettier. There must be some reason. In view of this paragraph in the Committee's Report what he wanted to know was whether this new officer with a new and more beautiful name would, in fact, be in the same position, and not merely substantially the same, in regard to his power of advising administrative officers at the War Office in questions of public expenditure.

Mr. ACLAND: Absolutely.

Mr. BOWLES said he should be glad to have that carried out, because if not the duties and responsibilities of this gentleman under the Treasury remained and yet the power to carry them out might under this new Order in Council be withdrawn. He hoped the right hon. Gentleman would not think he was unduly suspicious, but he would remember that there had been repeated attempts in the War Office and in other Departments to relieve Spending Officers from Accountant's and House of Commons control. So lately as 22nd April, 1907, he had asked whether the right hon. Gentleman's attention had been called to the Army Order No. 28 of

February, 1907, in which the Accounting Officer in command had had to be put on the staff and under the orders of the Spending Officer whom he was there to control. The right hon. Gentleman's reply was that his attention had been called to it, but that it was a misprint or a slip. It was not the first slip of exactly the same character that had been made in Army Orders. That sort of misprint and slip following one another produced an impression that there was a desire in the War Office in some way or other to carry out what they knew were the wishes of a great many prominent persons connected with military administration, to exempt people who had the spending of money from Parliamentary control. In view of the Committee's recommendation on this matter, he desired to ask why the right hon. Gentleman wanted to change the name of this officer. What was the particular objection he had to the name of Director of Army Finance? What was the new name he proposed, and in what respect did he consider it more useful in the public service? If he insisted on changing the name of this officer on whose duties, functions, and independence the whole control by the House of military expenditure depended, he hoped he would be able to give them a definite assurance that the Order in Council defining his duties should not be merely substantially the same, but, in fact, the same as the duties of this important officer, and that, in fact, whatever the new name would be, he would have the same power in all respects as the officer whom he superseded. The points he had mentioned, whether the Government intended to accept the recommendations of the Committee with regard to overriding statutes and whether the right hon. Gentleman would give them the assurance with regard to the financial administration of the War Office for which he had asked, were, perhaps, the most important questions raised by the Reports of the Committee.

Mr. KETTLE (Tyrone, E.) said he had had the honour to be a member of the Public Accounts Committee, and he had regarded hon. Members' continuous interest and attention on matters which came before the Committee as one of the most marvellous spectacles of unrewarded industry that had ever come under his notice. The chief thing that struck him about the Committee was the entirely futile and illusory character of its pretended control over public expenditure. In these Reports they were dealing with expenditure that they could in no way check or prevent, but with the accounts of two years ago. The money had been paid, cheques had probably been burned, and some people who had paid, or to whom payments were made had gone to their reward in another world. He went on the Committee with the intention of being as industrious as the hon. Member for Norwood, but when he had attended four or five meetings, he realised the inequality of the terms on which a humble Member like himself approached the public officials who were present, and the completely illusory character of the control of the Committee over public expenditure, and he was led to the conclusion that he would be better employed if he gave his attention only to expenditure in Ireland. There were only two or three items of Irish expenditure to which the Public Accounts Committee were able to give any attention. One was a charge of £358 for the early delivery of letters to the Lord-Lieutenant. He did not mind when the Lord-Lieutenant's letters were delivered; it was with the letters sent out by the Lord-Lieutenant he was concerned. Another item related to the law charges for criminal prosecutions. The point to which the Committee drew attention was that the expenditure showed that there had been an overriding of the statutes on the subject. The other point was with regard to the maintenance in Irish lunatic asylums of soldiers and sailors who were afflicted with lunacy during the course of their service. That was probably the only case in which the English language misused had worked in favour of Ireland and against this country. Owing to a mistake in a revised Statutes Act, expenditure which would have fallen on Ireland fell on the Prisons Vote. His point was that out of a total expenditure for the home government of Ireland of £7,500,000, the items which came under the observation of the Committee made a total of £8,400. Could control of that sort over public expenditure be regarded as in any way effective? He wished to deal with the constitution, powers, and general policy of the Committee, and not with special points of detail. Under the present system if special points were raised it fell to the Secretary to the Treasury to reply, but in view of the limitations of the human intellect no Member of the House was really capable of answering for all the public services whose accounts came before the Public Accounts Committee. Some members of the Committee, including those belonging to the Labour Party, had come to the conclusion that for this House to have any real control over public expenditure there must be not one Committee, but that really every Minister ought to have a Committee of Members representing all parties to overlook the expenditure in his particular Department. The powers of these departmental Committees ought to be not merely retrospective. What could they do? The hon. Member for Norwood said they could disallow. He did not remember any case in which the Committee disallowed anything. If every Minister was—he would not say assisted, but hampered, by a Committee of the House which did not concern itself with questions of policy, but with questions as to how the best value was to be got for the taxpayers money, he was convinced that the House would have something like real control over public expenditure. He did not wish to make any unfavourable criticism of the heads of the various Civil Service Departments. Having listened to them when they were before the Public Accounts Committee, it struck him that they were in a position of undue advantage when a comparatively uninformed Member cross-examined them in regard to the details of expenditure. If there were departmental Committees sitting continuously during the session and examining the expenditure of each Department item by item there would be some sense in Members devoting a portion of their leisure time of examining the public accounts. He thought there was a great future before a Government of this country which would come into office on the programme that they would refuse to legislate for an entire year, and that they would scrutinise jealously every single item of expenditure. The present Government ought to favour that proposal. Their legislative programme this session had not met with any conspicuous success. If the House had devoted the weary weeks given to the Licensing Bill to the scrutiny of public expenditure they would have got better results for the time spent. He went on the Committee with a sincere desire to secure economy in public expenditure in Ireland. He did not possess the matchless energy of the hon. Member for Norwood, who always came up smiling after a futile encounter with a public official, but he had come to the conclusion that the Public Accounts Committee as at present constituted belonged to the region not of business but of illusion and make-believe. He hoped the House would consider the suggestion he had made. The Reports of the Public Accounts Committee constituted a fresh argument for Home Rule and the devolution of the business of each country to the representatives of that country, but failing that and during the interregnum that must elapse before some Government went to the country on that policy [Laughter]—he believed hon. Members above the gangway were not unfavourable to that—but failing that, or pending that, he sincerely hoped the House would take into consideration the idea of establishing sub-committees of the Public Accounts Committee to each of which would be apportioned the work of supervising the expenditure in a given Department. He believed if that system were adopted a sum under the present Estimates of between £2,000,000 and £10,000,000 a year might be taken off the public expenditure.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HOBHOUSE, Bristol, E.): I wish to refer briefly to the remarks which fell from the hon. Gentleman who has just sat down. I can assure him that if I thought for a moment, or if any Member of this House who for the time represented the Treasury thought that the appointing of separate Committees, to examine the expenditure of the different Departments would result in greater economy than is secured at present, such a suggestion would be welcomed and accepted by the representatives of the Treasury in this House.

On his own confession, he has only attended the meetings of the Committee three or four times, and I do not think he has attended a previous debate on this subject. I think he is under a misapprehension as to what are really the functions of this Committee. They are not appointed to control public expenditure, present or future, but rather to see whether the money which has been spent in the past has been properly spent and allocated to the proper heads of expenditure, and is in general accordance with the views of the Comptroller and Auditor-General. That is the function which has been, I know, given to them, and I think right hon. Gentlemen opposite will agree with me that is the sole function of the Public Accounts Committee. Having made this very brief statement of the proper questions to be raised in debate in this House, let me answer one or two points of the hon. Member for Norwood. He drew attention to the Report of the Public Accounts Committee, and he rather gave the House to understand that the Treasury had failed to act up to the understanding which they had come to with the Comptroller and Auditor-General, and they had not presented to the House a clear statement on the Estimates of how expenditure in regard to law charges and criminal prosecutions in Ireland was set out.

MR. BOWLES said he did not refer to law charges in Ireland particularly. His point was that this recommendation had been made, but the Government went on dealing in the exact way which the Committee had condemned with the £100,000 grant for education, and failed to make any communication of the appropriation. It was perfectly open to them to pursue the course which the Committee recommended, and he wished to know whether, in future, they intended to carry out the recommendation.

MR. HOBHOUSE: I do not see the paragraph in this Report with which the hon. Member deals. I thought he was dealing with their expression of opinion in the first Report of the Committee, paragraph 11, with regard to expenses in connection with law charges and criminal prosecutions in Ireland. Upon that point I desire to meet him. For the first time in the Estimates of this year it is clearly set out in Class 3 of the Estimates how the prosecution expenses are met, and it sets forth in detail that they are grants-in-aid in relief of expenses under certain Acts of William the Fourth and seven or eight other Acts. These are grants-in-aid in relief of expenditure under those Acts, so that there can be no possible misapprehension of the intention with which the grant is made or the purposes for which it is used. That has been done for the first time in the Estimates of this year, and therefore I think the complaint of the hon. Gentleman is not a well-founded one.

COLONEL R. WILLIAMS: I think the point to which the hon. Member drew attention was the last sentence in the recommendation of the Committee to the effect that—

> "The exceptional nature of the Vote should also be indicated in the Appropriation Act."

MR. HOBHOUSE: I will take care that in the next Appropriation Act that recommendation shall be attended to, but I think the real point is that the views of the Committee have been met for the first time on the Estimates this year. I do not think that there is any other point which the hon. Member raised for which I am responsible, and with which I need deal, but I would say, if one may speak from one's own private point of view, and from one's action in another Department, that I have felt, and I do feel, that it might be desirable to have set forth the total expenditure on the account. But the difficulty of doing that is complicated by the fact that nearly all these Returns look at the point from a different point of view, and the moment you do that the figures are so complicated by the aspect from which they are viewed that it is almost impossible to put them definitely. In the case of the finances of India, with which I was familiar for a short time, my recollection is that, with far smaller sums to deal with, they have exactly the same difficulty to meet, and although they do present to this House of Commons a set of figures which is approximately, and very closely approximately, correct yet there are discrepancies in the financial statement which are no greater and no worse than those in these accounts. That is only an opinion which I venture to express from that short experience, and from my own personal knowledge. I hope this explanation will meet the views of the hon. Gentleman.

MR. AUSTEN CHAMBERLAIN: I am sure of what the hon. Gentleman said as to the divergencies of different financial statements, and coming to the present one a very simple explanation will show how these divergencies arose—for the reason the hon. Gentleman has referred to, namely, that in making the different statements you are approaching the figures from a different point of view, and are desirous of showing a different kind of thing. In the Fowler Return you see, for instance, the net proceeds of the Post Office; in the Budget statement you see the items constituting the whole particulars of those earnings on the revenue side—the whole gross revenue. I do not think it is possible to avoid altogether discrepancies of that kind. I think that for different purposes we must, to a certain extent, have different Returns, and if we were to endeavour to reduce all these statements to one, I am quite sure there would develop the gravest disagreements in this House as to what that one statement should be. I only know of one in regard to which there has been anything like common agreement by those who have spoken, without party discussion or debate of a party nature, of what would be an ideal statement of the kind. I am inclined to think that the statement which bears the name of Lord Wolverhampton — the Fowler Return—is the best statement for a person to consult in regard to our national expenditure. However that may be, I do not want to dwell upon it any further, but I wish to go to the other point with which the hon. Gentleman dealt. I think he misconceived altogether the Question which the hon. Member for Norwood put. It is quite true that the hon. Member referred to Paragraph 11 of the first Report of the Public Accounts Committee, and based his Question upon it, but the Question he asked was whether the Treasury intended for the future to accept the principles laid down by the Committee in that paragraph. He was not particularly concerned with the instances which were quoted in which what the Committee considers an undesirable practice took place, but he was very much concerned with the general principle advocated for the future, and which the Committee laid down—

> "Your Committee, after hearing the evidence of the Comptroller and Auditor-General and of the representative of the Treasury are of opinion that while it is undoubtedly within the discretion of Parliament to override the provisions of an existing statute by a Vote in Supply confirmed by the Appropriation Act, it is desirable in the interests of financial regularity and constitutional consistency that such a procedure should be resorted to as rarely as possible and only to meet a temporary emergency."

What we want to know from the Government is whether they accept that principle so laid down by the Committee, and whether they will act upon it in future. If they do, it will naturally follow that the further recommendations of the Committee, that the exceptional nature of the Vote should also be indicated in the Appropriation Act, would find expression also. The hon. Gentleman says in regard to the particular matter of the particular Vote which was before the Committee at the time when they made that Report that the Government have accepted their views, and they printed on the face of the Estimates an indication of the character of the Vote, that it is making an exception to the Statute, and that they are going to do that always.

MR. HOBHOUSE was understood to say that he was informed that the Government had introduced a measure to repeal the various Acts which stood in the way of that orthodoxy being observed, and it had not been possible to proceed with that measure, but as soon as possible he would undertake to get the repeals made, necessary to observe what was called financial regularity.

MR. AUSTEN CHAMBERLAIN: That is satisfactory as far as it goes, and I do not want to press the hon. Gentleman unduly about the legislative steps. I think that the irregularities date back for a very long time, and all Governments seem to have been willing when their attention was called to them to legislate whenever they could do so without waste of public time and without interference with legislative and other Parliamentary business that they had in hand; but it is one of the defects of our system that this kind of non-controversial measure, exciting no interest except among members of the Public Accounts Committee, and officials and ex-officials, gets crowded out in the competition. I presume I may understand, however, from what the hon. Gentleman says that he clearly recognises that the practice of doing by Vote what is in contravention of a statute is an irregular practice, not to be repeated and is only to be continued in those special cases where it is admittedly desirable until such time as early as possible when Parliament can legislate by repealing these Acts, and that consequently the Government would never think of using this power in order to drive a coach and six through an Act, when they have any doubt that Parliament would approve. That was what my hon. friend referred to; it was not to these little grants which really raised the question, but which are of no consequence except for the precedent which they create. My hon. friend called attention to the fact that the Government had, since this Report was in their hands, done something of exactly the same kind on a much bigger scale, and we think they had no pretence for saying they were waiting for an opportunity for a non-controversial Bill to pass. We think they have distinctly used this power, condemned by the Public Accounts Committee, in order to do that which we believe Parliament would not sanction. The hon. Gentleman has spoken and I do not know that I can press him further, but I should give way if he were inclined to speak again. But we have his admission that it is wrong, his statement that it is the intention of the Treasury in future to conform to the recommendation of the Committee, to resort to this practice as rarely as possible, and then, only to meet a temporary emergency, and when they do it, to call Parliament's attention to it. I think if this discussion leads to no more than that, it will have justified the appropriation of time to debating these Reports. As regards the discussion in general on the Reports of the Public Accounts Committee, I feel what the hon. Gentleman the Member for Norwood said about the inconclusiveness of the Motion upon which the discussion now takes place, and I think it would be convenient sometimes if we could raise particular points, and take a vote, rather than discuss a Resolution which means nothing. I do not think it is possible to ask the House, after a single day's discussion and on a single Motion, to approve of and endorse every portion of the Public Accounts Committee's Reports. The bringing of the Public Accounts Committee's Reports before the House is a comparatively novel proceeding. It was followed in the last two years of the Government of my right hon. friend, and then discontinued for two or three years, and resumed last year. He hoped it would become an annual practice, but before that is done it would be convenient to consider whether at the time we discuss the Reports we could have the Treasury Minute before us, and see how far that agrees with the Committee's Reports. We should then have the satisfaction of seing how far there was agreement between the Treasury and the Reports of the Public Accounts Committee, and the opportunity of challenging at once any divergence between the Treasury and the Public Accounts Committee. With reference to the position of the new Accounting Officer under the War Office, I associate myself entirely with what my hon. friend has said as to the independence and authority of this officer if he is properly to discharge his duties to the House, the Secretary of State, and the Treasury. It is of the greatest importance that we should know that the authority under which he acts is definite, and that his power and his position have not been altered. In July of the present year the right hon. Gentleman, in answer to the Chairman of the Public Accounts Committee, promised to lay on the Table a document defining the responsibilities of this officer. But this officer's authority was going on all the time and we should like to know under what authority he is acting? He has to wait nine months before his responsibility is defined. A little later the right hon. Gentleman said it was intended to modify his duties to a slight extent in regard to contracts. I do not understand how the Accountant-General is going to discharge the duties of his office if someone else has power to make contracts without his knowing anything about them. It is the greatest safeguard we can have. It prevents mistakes being made, and prevents things being done in the wrong way when there is a right way of doing them. It calls our attention to conditions that we ought to observe and the responsibility we enjoy. Nothing could be worse than to place the financial officer in such a subordinate position to the military officers that he is not able to speak to them frankly and enforce strongly the financial obligations to which they, as much as every other servant of the State, are subject. For if you allow any officer to make contracts without the papers being passed to the Accounting Officer you will find that quite unwittingly mistakes are made and money expended without Parliamentary sanction or in other ways which are not proper. One word more I wish to say on another matter, which formed the subject of the speech of the hon. Member for Ipswich. I wish to say that unless you have some confidence in the officers at the head of the different administrative departments, and particularly in the officers controlled and checked by the Treasury, you will bring our financial system to ruin. It is not possible to carry out the financial operations that we have unless you allow variations to be made by responsible officers with the control of the Treasury. Take the case of the officials of Departments, the War Office, the Admiralty, or the Office of the First Commissioner of Works. Is there any private business which has to make its forecasts under such circumstances as are imposed on those who are in great public Departments? In a private business they consider from day to day, or from board meeting to board meeting, what fresh expenditure is necessary. They do not hesitate to sanction it on the spur of the moment if safe and good opportunity arises or some special emergency gives occasion for that fresh expenditure. But the officers of these great spending Departments are expected to foresee what is going to happen eighteen months or twenty months ahead. At the present time the Navy Department are hard at work on their Estimates. Probably by this time the Works Vote of the Office of Works has already gone to the Treasury; I should think, if it has not, that probably the Chancellor of the Exchequer will be wanting to see it and asking why he does not have it before him. This is for expenditure, none of which is to begin until 1st April next, and which is to comprise everything that may be wanted and to be set down in very great detail in order to satisfy Parliament. And that is not all. I speak of the Admiralty as having only just parted with their Estimates. But they must be dependent on the Reports of officers at distant stations, and even on home Reports, which ought to have been sent in three, four, or five months ago. You are, therefore, asking the officers of the spending Departments to prepare Estimates for an expenditure which has to begin a year, eighteen, or twenty months after those Estimates have been sent in. No human foresight can foresee what will arise in that period. Necessarily such things happen as this. Take a distant station: the statement is made that a building is in a very dilapidated condition, and must be renewed by an estimated expenditure of £5,000. You do not accept that at once. That is as far as you have got. You have not been able to probe the matter to the bottom at the time you framed your Estimates and apparently there is no urgent need for the expenditure of £5,000 put into the Vote. Between your putting that into the Vote and spending the money you send an inspecting officer to the spot to investigate the circumstances, and he says: "Oh, this is a mistake. By utilising another building we can save all the expenditure, or by some other plans we can adapt the old building to our needs at a very much less cost." If they spend only £2,500 on that account it is regarded as somewhat of a blemish on the Department instead of being something for which it should have credit. It only shows how careful the Departments are, once they have got Parliamentary sanction to spend money, not to spend it unless it is really necessary. Of course, there are other cases where there is even still greater difficulty in getting information. The hon. Gentleman the Member for Ipswich cited one case, that of the building of a county court in Swansea. I asked him, drawing my bow at a venture, whether the expenditure had been incurred on the site, and he said it had. The difficulty about the Government's purchasing land is that once it is known in a particular town that the Government want land for the building of a county court, or a post office, or a coal depot, the value of every available site is at once doubled in the market. The only chance of buying a site at a reasonable price is to do so before it becomes known that the Government are needing it. If every place where the Government want land were published or scheduled, or if the purpose for which you are going to buy land is known, you have no chance of ever making a good bargain. I remember well a case in which I was concerned when I was at the Post Office. In a large Midland town—not my own—we had an admittedly insufficient and inadequate post office for the business done. A great firm, in pursuance of several amalgamations, had great business premises in a suitable position for sale. I had representations made to me by the landowner, and finally a deputation invited me, as Postmaster-General, to purchase those premises for the business of a post office. I inquired what the fair price was, and they told me the lowest price which the vendors were prepared to take, and they said as there very likely would be very few bidders I might even get it at a little less than that. I replied that I was very sorry; I admitted that we wanted a new post office, but the House of Commons had not provided us with any money to pay for this particular place; the House of Commons was very jealous of our spending money which it had not authorised, that the Public Accounts Committee were very much on the *qui vive* to discern expenditure of this kind, that the Treasury itself was very loth to sanction our exercise of any such power, and that was all I could say. I sent them away rather unhappy, I suppose, with our financial system. Having done that I sent a Post Office clerk down to bid for the premises, and he got them for very much less than the sum which they had named as being what they thought fair, I am afraid to state the figures, but the price was certainly less than a third part of the sum at which the property had been offered. That was done by sending down somebody who was not known in the town. When it came to the auction nobody knew that the Postmaster-General was represented, and when the clerk gave the name of the Postmaster-General, the auctioneer adjourned the auction to consult his clerk, because if he had known that he had sold to the Postmaster-General he perhaps thought that he would have got a little more out of him. That is the only way in which you can buy cheaply. If you insist on limiting too strictly the powers of the Treasury and the powers of the Departments to vary the purposes for which Parliament had voted money, though not to vary, I think, the policy of Parliament, or do anything contrary to the general sense of Parliament, you will make all this sort of transaction impossible. You will certainly increase the cost to the public of necessary services; you will certainly increase the temptation of the Departments to over-estimate, and, when they have over-estimated, the temptation to spend. You will deprive the Treasury of the checks it has on new demands presented in the course of the year as urgent by the great technical Departments. They hear technical arguments which they cannot possibly judge from such Departments as the Admiralty and the War Office. It must necessarily occur again and again that those Departments go to the Treasury and say: "We must have so much money for a matter which is urgent for the defence of the country;" but this is of such a technical character that the Treasury cannot set its authority against the Army Council or the Board of Admiralty. What can the Treasury do? It can test the *bona fides* of the spending department, and their real care about the particular matter in respect of which they make the demand for money by saying: "If you must have something more, and if you will forego something less urgent, you can then have the money for that which you declare to be more necessary." I suspect the

Treasury will continue to pursue that practice. It certainly did in the days when I knew it, and when I was its victim or its representative. I am sure that that kind of authority works well for all the Departments, and therefore works well for the public service. As a matter of fact, the House has very little financial control except in the way of reductions. I have sat here for sixteen years, and I cannot remember any serious effort being made in Committee to reduce the Estimates. Time has been occupied over a rat-catcher's wages, but the efforts were to spend Parliamentary time and not to give the Government any money. Really, during the sixteen years I have been here I do not remember any serious attempt having been made to reduce expenditure. All the effort has been the other way. When we discuss the Estimates we try to increase them. The only attempt to check them at all is when the Chancellor of the Exchequer proposes to raise the money which is to be spent. No doubt it is natural that Members of the House, private Members especially, who have never been in office, and have never seen the working of the system, should seem to think that under such a system expenditure must be reckless and extravagant, and that it would be right to tie down all the Government officials much more strictly than they are tied down now. I think that may be easily carried too far. No private business is comparable in magnitude to the business of the Government, or even a portion of the Government, but if you make a comparison of the mistakes made by a private concern with those made by a Department of the Government, you will find that in proportion to size, no business is run with so few mistakes as that of the Government, in spite of the fact that the private business is managed under much more easy conditions of control than are public affairs. Though I do not deny that some mistakes are made, yet I believe that, on the whole, the system works well. I am certain that the best control that the House can have is, not in attempting to foresee every mistake that may be made, not in attempting beforehand so to tie down everybody that they cannot make a mistake, with the result that they cannot do anything at all, but that those who are responsible for the action of officials should make them understand that their responsibility is a reality, that if by investigations of the Treasury, of the Comptroller and Auditor-General, and of the Public Accounts Committee, they are adjudged not merely to have made pardonable errors, but to have been guilty of a serious lapse of duty, then they cannot expect mercy, either from the Government or from the House, and that we shall, while trusting them in the future as we have done in the past, expect that same high standard of public spirit in the discharge of their duties which their predecessors have shown.

*MR. ACLAND said he would reply on the question of the powers of the successor of the late Director-General of Finance. The Order in Council, which would be published he hoped in a few days—the new officer only came into his work in November, so there had been no very great delay in publishing the Order in Council—contained exactly word for word every sentence which was contained in the old Order of Council. The hon. and gallant Member for Dorsetshire said very rightly that the head of the Finance Department, who was appointed Accounting Officer by the Treasury, had two functions, and that it was necessary that both these functions should be defined, and that it was desirable that they should be kept distinct. One of the functions was that of financial advice to Members of the Council and to officers in command. The other was that of Accounting Officer, in which capacity he was personally responsible for the regularity of every payment which was made. The old Order in Council of 10th August, 1904, rather mixed up these two functions. The new Order in Council put in the first few sentences one of these functions, and in the final few sentences the other function. Every single sentence in exactly the same words would be contained in the new Order as in the old. They were only getting the two functions more clearly defined, and the different duties grouped more clearly under the two headings. He could quite understand that there had been a natural nervousness, and perhaps even suspicion, which had been the result of the change in title, but he could assure the right hon. Gentleman that it was a change in title only except that it was also a change in salary. The War Office wished last autumn to facilitate the utilisation by the Government of India of the services of Sir Guy Fleetwood Wilson, and in order that the necessary arrangements might be made at the Treasury it was found to be necessary that his successor should have a rather lower salary, and it was found advisable that he should have a rather different title, but the difference which was made in title and salary was purely to facilitate the arrangement which it was desired to make with regard to Sir Guy Fleetwood Wilson's new appointment. There had been no alteration whatever in the powers of the officer, and he thought it was a good beginning for the officer who would have control over the whole finance of the Army that he should make a beginning with his own salary and cut that down a little. He was afraid the hon. Gentleman would want to make a continuation with his (Mr. Acland's), but he had shown no signs, he was glad to say, up to the present. With regard to contracts, the position was this—that every matter which involved variation in the terms of the contract, such as letting off the contractor from penalties in default, or from a fine which had been confirmed, or giving a higher price than that which the contractor had tendered, must come to him through the Assistant Financial Secretary. But the question of the making of the contracts seemed to him to be an administrative question, and he believed the Department was better served if all the members of the Contracts Department were civilians—it was a civilian financial staff directly under the Financial Secretary, and if that staff was charged with the financial consideration of the conditions under which they made the contract as well as the purely administrative making of the contract and issuing the tender and so on.

MR. AUSTEN CHAMBERLAIN said he did not mean that the Assistant Financial Secretary or the Director of Finance should make the contracts in any way at all. What he had in his mind was the case of a man making a contract without having any authority to buy anything at all, or any funds on which to draw. But before a man signed a contract which covered a charge on a particular Vote, or a particular sub-head of a Vote, surely a member of the Financial Director's staff ought to have *vised* them, so to speak, to see that there was Parliamentary authority for charging it to that sub-head.

*MR. ACLAND said that was so at present. There was oversight by men directly under the Director-General of Finance as to the issue of money out of which contracts were to be met. He should be glad to show the right hon. Gentleman the old Draft Order and the new one, but there was only a re-arrangement and no alteration in wording whatever, and no alteration of powers except with regard to the administrative side of the contracts had ever been contemplated. Perhaps the Chairman of the Committee would desire that he should refer to some of the questions that he had raised. He had naturally referred to the possible loss of Parliamentary control in the matter of triennial contracts for repairs, and so on. That was a very important point, and two points arose out of it. One was a question of splitting up a certain order into such small parts that each part might be carried out by the triennial contractor without exceeding the amount of the order which could be given to him. That was a practice which was adversely commented on by the Public Accounts Committee, and he thought they were perfectly right. The practice, so far as it existed, was no doubt a bad one. But, if one looked through the instances which the Committee took, there seemed to be a fairly reasonable explanation of the cases which came before them in which a total exceeding the sum of any individual order had been made up out of separate orders carried out by the triennial contractor. For instance, there was the case of the explosion in February, 1907, at Woolwich, where it was a matter of very great urgency that the buildings which had been shattered should be replaced, and if they had not been replaced without the delay of issuing tenders and so on, the whole of the work of the Royal Laboratory might have been brought to a standstill. That was a very exceptional case, and the excess of the usual limits of triennial contractors' work was in that case justified. There was a case where separate orders were given to a triennial contractor for the foundations of a building and for the superstructure. He understood that was a very common practice even in ordinary house building, and it was particularly necessary at Woolwich where foundations were apt to be very bad, the ground was full of peat, and they could never judge of the sort of building they would be able to put up until they knew how firm the foundations were which they could lay. It had been found, quite apart from triennial contracts, absolutely necessary to make different tenders for the foundation and for the building itself. As to the extension of contracts, that was giving a further contract on the same terms for similar work to a man who had already had a contract; that was under careful consideration at present by the Treasury, the Admiralty, and the War Office. No conclusion as to how this matter should be kept on right lines had yet been come to, but there were two views. One was that they got better control by the House if all extensions beyond a certain point were referred to the Treasury for sanction. The other view was that the Ministers concerned, the Secretary of State for War or the First Lord of the Admiralty, would exercise more care, and really be in a more responsible position if they had to sign an authorisation in writing for these extensions than if they had to refer the matter to the Treasury and to come again if they were unable to get Treasury sanction. That matter was now being discussed. All cases, even the smallest, of extensions of contracts of course came to the Financial Secretary in person, and his view, so far as he had had an opportunity of forming it, was that in nearly every case it was far better to have a fresh contract than an extension of the old one. The reason so often urged that the builder had his materials on the ground and would, therefore, be able more easily to continue at the same price seemed, to his mind, to be a particularly good reason why he should be asked to tender at a lower price. The hon. and gallant Member had referred to the size of the surplus in the year under review of money voted by Parliament over that actually expended. He would be gratified to know that since the year in review a good deal of progress had been made in the direction of more closely estimating the expenses of the year. In that year there was a surrender of rather over £1,250,000, and if they included the Supplementary Estimate it brought it up to nearly £1,750,000. In 1907–8 the surrender also including the Supplementary Estimates was a little short of £1,000,000, and this year so far as he could see at present, excluding a windfall from India, which they did not expect in the financial year, the surrenders would be only about £300,000. There had been a reduction of surrenders from about £1,750,000 two years ago to between £300,000 and £400,000. The hon. Member had referred to the question of engineers' store accounts. They had had a good many cases where account keeping for the engineers' stores had not been all it should be, and a Committee was sitting considering this question, which was a very important one. The hon. Member had referred to the question of stock valuation returns, and he was glad he agreed that the keeping of that very elaborate Return was not really worth the amount of expense that it involved, and he thought he could tell him what was now proposed in that direction. First of all, of course, the Treasury had control and was bound to be informed whenever the War Office proposed to vary what was called the Mowatt reserve. The money was advanced originally from the Treasury, on that condition. They quite rightly laid down the condition that if it was proposed to increase or diminish its reserves the Treasury was to be communicated with, but they hoped to adapt something more than that. The Mowatt reserve did not include the whole of the war reserves. Certain important items, for instance, rifles, were not included in the Mowatt reserve at all. They hoped to be able to give a certificate with the Appropriation Accounts to somewhat the following effect—

> "We certify that on the 31st of March last the authorised war reserves of stores, for the provision and maintenance of which we are respectively responsible were, in all respects, complete with the exception of temporary deficiencies of the aggregate value of about £——."

It would then be seen how matters stood and they would have a personal certificate by two members of the Army Council concerned that the war reserves had not been depleted in order to mask an increase of expenditure in the order. As to the question of allowances by the Treasury in excess of certain Votes, so long as there was not an excess of the total Vote, the Office concerned was compelled in each case to show the real reason for the extra expenditure which they proposed. They were bound to show that the service was urgent, and if they could not do that to the satisfaction of the Treasury the service was not passed. No doubt if they were forced to adhere tightly to the total of any particular Vote—and of some Votes more than others this could be said—it would not be possible to make that close estimate as compared with expenditure so satisfactory as they hoped to make it. To be out by £300,000 in a total of £27,000,000 could not be regarded as a very bad estimate. It would be impossible to frame estimates for stores so close if it were not for this practice. A sudden necessity might arise, for instance, for a supply of mules or camels for an expedition in some distant part of the world, and, of course, as things stood, the Treasury would sanction expenditure as a matter of emergency and the animals would be provided and one would hope that the emergency would pass before the matter had come before Parliament. But if the War Office could never buy animals beyond the Vote without consulting Parliament, it would prevent them altogether from doing certain things which they were bound to do quickly and privately, and for which the sanction of the Treasury ought to be sufficient. As a newcomer into these domains he thought the careful consideration of the Public Accounts Committee and the discussion of their Report had a very good effect on the spending Departments concerned, and he joined in the hope generally expressed that these discussions, which brought to a head the valuable consideration of the Committee, would be of annual occurrence because he was sure they did a very great deal of good in the spending Departments concerned with the regularity of the expenditure which the Government trusted to their keeping.

Mr. JAMES PARKER (Halifax) said it was with some small degree of trepidation that he spoke on the Report of the Public Accounts Committee. He was a member of that body, and had taken some interest in its deliberations. He would like to associate himself with what had been said by the hon. Member for Tyrone, and he did not think that the work of the Committee was in any sense a check on expenditure for the purpose of Parliamentary control. The Secretary to the Treasury had twitted, possibly rightly, the hon. Member for only attending half the meetings of the Committee. That could not be said of him, because he had been present at nearly all the meetings, and he had come to pretty near the same conclusion as the hon. Member for East Tyrone. He gathered from the Secretary to the Treasury that the only purpose of the Committee was to see that the accounts were kept in proper order and presented in a proper manner before Parliament. If that was the work of the Committee, he submitted that there was better work which could be done. He could quite understand that the Gentlemen on the Front Benches were not desirous of the ordinary private Members of the House having any part, after the Estimates were passed, in dealing with the expenditure of money. Let them compare for a moment the action of this Committee with the action of a big city council. He admitted that the conditions were not exactly alike, but there were city councils that spent some millions of money in undertakings of various character almost as complicated so far as accounts were concerned as the undertakings of the Government. They managed them without harassing the officials at all. So far as he had met the officials of the various Departments, he had always been treated with the greatest respect, and they had always been willing to give him any information he had sought. But the function of an official was entirely different from the function of a Member elected by the people of the country to take part in the legislative and administrative work of the House. Might he quote a few words written by Lord Esher? He did not agree with all his conclusions, but he agreed with what he had to say with respect to the Public Accounts Committee. He said—

> "Curiously enough the House of Commons, which has to vote these enormous sums, takes great trouble by means of a Standing Committee to see that every penny is applied to the service for which it is voted. This Committee overhauls accounts, call witnesses who are examined and cross-examined, and, in short, possesses very wide powers, which it exercises thoroughly with excellent results. But there is no Standing Committee to inquire whether the money voted is spent to the best advantage."

It seemed to him that that was practically what his hon. friend suggested, that what they required before they could be said to have any adequate control whatever of the finances was in some way to bring hon. Members into touch with expenditure, not two years after the money was spent, but before it was actually spent. After attending his first meeting of the Committee he happened to meet a very responsible Member of the Government, who remarked that the Public Accounts Committee was like Minerva's owl. He did not know what that meant, but he looked it up in the Library, and found it meant, to use a Yorkshire phrase, that it was always two years after the cart. They wanted some means of dealing with expenditure which would bring the private Member into touch with it, and give him some power to check it, without his trying to be at one and the same time a bureaucratic official and a representative. He would not be a party to any Member of any public body endeavouring to harass an official in the performance of his duty, but he submitted that there was a function which belonged peculiarly to the elected representative in regard to expenditure and another which belonged to the official, and if they passed over all expenditure after the Estimates had passed the House, and left it absolutely under the control of the official, the House had no real financial control. He had been amused on occasion at the work of the Committee. Once when the question of triennial contracts was before the Committee it was necessary to get some information from the War Office, and the reply they received in one case as to digging out the foundations of a building and the erection of the building in another place was that it was necessary that the foundation should be put in before the superstructure could be erected. It was worth being on the Public Accounts Committee in order to have a piece of information like that. He supposed there was no other institution in the world except the War Office where one could be supplied with information at first hand of that particular value. There were two items he wanted to refer to, as illustrations of the necessity of a check upon expenditure before it was entered into, in addition to the check which the officials possessed. The first was a case of compassionate gratuities for servants occupying positions abroad which were to be dispensed with. There were in the accounts certain charges for what were called compassionate gratuities. He found that it was the custom to pay these pensions three years ahead. That being so, if a recipient died soon after the compassionate gratuity had been paid the relatives had three years money to go on with. That was a good idea, and he would not mind being pensioned in that way himself. Looking at the matter from the business point of view the system was absolutely ridiculous, and he submitted that in all probability if there were Members of the House dealing with this expenditure they would prevent the occurrence of things of that character. There were also in the accounts charges amounting to thousands of pounds for overtime and extra remuneration. There were thousands of young men in the country who had received good education, and whose parents were anxious that they should obtain situations in the Civil Service. The money paid for overtime and extra remuneration was received by officials who already had high salaries while those men who desired to enter the public service could not get appointments in the offices of the State. He submitted that these charges should be reduced by the Government Departments as much as possible. There was ample scope for great reductions in the amount paid for overtime and extra remuneration. He believed the work of the Public Accounts Committee did good, but he submitted that before the general body of the House could claim to have any real check upon public expenditure the Committee would have to sit, not two years after the accounts had been paid, but before the expenditure was entered into. There ought to be several Committees if the check was to be really effective.

LORD R. CECIL (Marylebone, E.) said the speech of the hon. Member who had just sat down was one of very great interest. The suggestion made was that there should be Committees to revise the Estimates in the interests of economy before the expenditure was incurred. Though it might be worth while trying the experiment he doubted very much whether it would be of great value. If they were to keep down expenditure, they could only do it by having very considerable knowledge of the actual Departments with which they were dealing. He very much doubted whether a Committee would have sufficient knowledge to enable it to deal with the experts who would come before them. The hon. Member had referred to the practice of municipal councils. He only knew of their work from the outside, and, judging from the results, he could not say that their procedure was a particularly good one, with the view of keeping in check the spending officials, and that was really what all these devices were intended to accomplish. He doubted very much whether a committee of a municipality did succeed in checking expenditure, and he had greater doubt whether a Committee drawn from the House would be able to check the very much larger and more complicated matters involved in the public expenditure of the country. There was only one point arising on the Report of the Public Accounts Committee to which he desired to refer. It had been mentioned more than once, and he was not quite sure that they had succeeded in making exactly clear to the Government what the point really was. Paragraph 11 referred to certain payments for law charges and criminal prosecutions in Ireland, and laid down the general principles of control of expenditure in the following terms—

> "Your Committee, after hearing the evidence of the Comptroller and Auditor-General, and the representative of the Treasury, are of opinion that while it is undoubtedly within the discretion of Parliament to override the provisions of an existing statute by a Vote in Supply confirmed by the Appropriation Act it is desirable in the interests of financial regularity and constitutional consistency that such a procedure should be resorted to as rarely as possible, and only to meet a temporary emergency. In cases where such an emergency arises, and there are reasons against the amendment or repeal of the statute governing the case, your Committee recommend that the fact that the proposed Vote over-rides an existing statute should be cleary stated on the face of the Estimate, with the reasons for adopting that course, so that no doubt can exist of the deliberate intention of Parliament. The exceptional nature of the Vote should also be indicated in the Appropriation Act."

That was not an isolated expression of this particular Committee. It was not merely a casual expression of opinion; it represented the settled policy of the Public Accounts Committee. It was laid down as early as 1875, and it was repeated in 1883, 1885, 1886, 1887, 1888, and 1889. He did not mean that exactly the same words had been used on each occasion, but the Public Accounts Committee and the Treasury had repeatedly laid down the principle that it was unsound to over-rule express legislation by means of an Estimate afterwards confirmed by the Appropriation Act. What he felt anxious about was whether the Government full-heartedly accepted that view or not. He thought the House had a right to a plain and distinct answer on that point. The hon. Member for Norwood had referred to a particular case which had caused some hon. Members to doubt whether the Government accepted that principle. The particular case was the authorising in 1907 of an expenditure of £100,000 for the building of new schools throughout the country. There was no doubt whatever that that was in direct conflict with an existing Act of Parliament. It was a far stronger case than any with which the Public Accounts Committee had so far dealt. The Public Accounts Committee had hitherto dealt, not with a direct prohibition in an existing Act of Parliament, but merely with a case where an Act of Parliament had set a particular limit to expenditure, or something of that kind. Here they had a case where by the Act of 1870 there was an absolute prohibition against Parliamentary grants being made in aid of building, enlarging, or fitting up any elementary school, and what the Government had done, not once or twice, but oftener, was to over-rule the prohibition by Estimate for the purpose of building schools and to follow that by the Appropriation Act confirming the Estimate. He thought they had a right to ask whether the Government intended in future to abide by the fresh expression of the Public Accounts Committee as contained in the present Report in reference to this matter or not. Did they, in the first place, think they had complied with it? What was the temporary emergency which compelled them to make the grants and proceed in this manner? He did not think it would be suggested by any Minister that there was any temporary emergency in the ordinary sense of the word at all. It was a fresh departure in policy. There was no special emergency suddenly occurring which the Government had to meet. Let him take another test. Even if there was a certain emergency, the Committee recommended that certain precautions should be taken. They must first show a temporary emergency and some special reason against repealing the statute involved. What were the reasons against repealing the statute involved? He knew of none. He knew that one of the statements occasionally made from the Treasury bench was that they were able to defeat the interference of the other House. That was seriously put forward as a reason for the use of the procedure, but the branch of the Legislature whose power was really taken away was not so much the other House as this House. It was the House of Commons which suffered by procedure of this kind. It involved the deliberate setting aside of an Act of the whole Legislature—of the House of Commons as much as of the other House. They had no security that they would be allowed to discuss the Estimate even. In this case, as a matter of fact, he did not think they did. When they came to the Appropriation Bill they could not raise the point effectively at all. They could not raise it in Committee. He thought he had ingeniously devised an Amendment by which it could be done, but found that he could not. They could not raise a specific point on the Appropriation Bill; all they could do was to object to the Second Reading of the Bill. That was an absolutely futile remedy. He did not think anybody said anything as to the desirability of making this grant, but, because they disapproved of the method, the only way they could control it was by rejecting the Appropriation Bill. That was a farcical control; indeed it was no control at all. He fully accepted that the great object of this Committee and of its Report and the discussion that afternoon was to enforce the control of the House over the expenditure which had to be made. The hon. Member for Ipswich drew attention to the great difficulty of the control of the House, and that had been emphasised by other hon. Members, who had shown that there was nothing more ineffective than the detailed control of the House over Estimates. This particular action of the Government was one more infringement of their powers in regard to policy as well as expenditure. He ventured to say to the House and to the Government also that the House had a right to learn whether the Government intended to be bound by the principle laid down by successive Public Accounts Committees, or whether they intended to defy it. They ought to know that definitely and clearly.

*MR. WEDGWOOD (Newcastle-under Lyme) said he felt great sympathy with the speech of the hon. Member for Ipswich and with his desire that the Treasury should no longer be able to transfer surpluses on one Vote to another Vote—to prevent an estimated saving on men being applied to barracks. He thought, however, it was necessary to approach this question with a great deal of caution. He should deprecate, for several reasons other than those given by the ex-Chancellor of the Exchequer any further cramping of the heads of Departments by a prohibition to make good use of savings in their Departments. Everybody who knew the public services knew that towards the end of a financial year every single Department tried to spend money to the full extent of their Estimates, partly to justify them and partly that they might claim in the succeeding year a similar grant. Heads of Departments were anxious to run their Departments cheaply, but the chief incentive to making savings in one branch was that the money so saved might be spent in other branches. That incentive would disappear if transfer of savings from one

Vote to another was prohibited. In order to spend all the money voted before the end of the financial year there was a rush of work, and everybody was put on overtime. That was the case in the War Office and Admiralty alike. An endeavour was made to spend travelling allowances so that those to whom they were granted might claim the same amount in the next year. For these reasons he deprecated an excessive desire for Parliamentary control. It was desirable that the heads of public services should have the incentive to practice economy. In the matter of grants-in-aid the Reports of the Public Accounts Committee showed a constant and progressive reduction in regard to certain of our Protectorates. The grant to British East Africa had fallen from the £251,000 of four years ago to £153,000; and that to Northern Nigeria had fallen from £465,000 to £295,000. There was a constantly increasing drop in the amount of money demanded from this country for the development of the Colonies. There were other cases where grants previously given had ceased altogether, notably in the case of the Gold Coast, where the grant of £243,000 was reduced gradually until in 1905 it ceased entirely. He thought it was the duty of the Public Accounts Committee to see whether in cases of progressive Colonies it would not be possible to treat these grants-in-aid not as grants but as Imperial advances, which would, as soon as the Colony became solvent, bear interest, so that we might be ultimately recouped for the expenditure we had made in order to develop these Colonies. In Northern Nigeria for instance we had an extremely valuable asset. The actual revenue this year was largely in excess even of the estimate, and in ten years that Protectorate would undoubtedly pay its way. It would only be right and fair to the taxpayers of this country that if and when such Colonies became prosperous we should have a prior lien upon them, and get the interest on the public debt incurred by us for their benefit, often in reproductive works.

He would pass on to another point concerning the Army. In the evidence before the Committee they came across the case of the foreshore off Shoeburyness. These sands, which were euphemistically called the foreshore of Shoeburyness were really the Maplin sands, which were covered by the sea at high-water. For forty years the War Office had had right of shooting their guns at Shoeburyness, and for this they had paid £10 a year to the owner of the sands; and £10 was also paid to the Commissioners of Woods and Forests, who also had a claim to a portion of these sands. Later on in 1892 the owner of these sands took it into his head that he was not getting full value for them and demanded, instead of a rent of £10, that he should be paid £265 a year. The War Office with that prescience which characterised them occasionally still, did not accept that offer of £265, and they had in consequence to buy 1,760 acres for a sum of over £10,000. Besides these 1,760 acres they had also to acquire the 900 acres belonging to the Commissioners of Woods and Forests, which for over forty years they had paid £10 a year rent for. No sooner did the question of buying up other portions of the sands arise than private owners claimed these other hitherto public portions of the sands from the Commissioners of Woods and Forests. The latter, thinking the sands were of no value, did not contest the title, and allowed these private people to claim without dispute; and the War Office bought this also for between £5 and £6 an acre at a cost of nearly £6,000. On this point bore one of the most startling pieces of evidence in the Report. The Woods and Forests Department said the land was of no value, and they would not contest the matter, and when the private owner demanded £5,500, the War Office never went to the Woods and Forests Department and urged them to fight the claim. They said they should—

> "Have to pay the money in the end in any case, and if the Office of Works had proved their title they should have had to pay them for it."

That was the reason given for not establishing a public title, and if that sort of principle was carried on by the different departments of the public service, no doubt the public was bound to suffer. It really did not matter to the taxpayers of this country whether the land belonged to the Commissioners of Woods and Forests or to the War Office. But it did matter that one Department should regard another as an alien body and pay £5,500 to private persons for that to which another Department had a claim.

Passing on to another question he pointed out that all Departments of the public service were entitled to inflict upon contractors who did not fulfil the terms of their contracts, fines and stoppages. He was rather surprised to see that the Admiralty, at any rate, considered themselves empowered to remit these fines and modify the terms of the contract without applying to the Treasury for sanction. He did not, however, think that applied to every Department in the public service, but there ought to be a certain amount of conformity in this matter, and if a contract was to be modified, and if the modification exceeded a certain sum, then he thought that Treasury sanction should be applied for, or, at any rate, that the spending Departments should all pursue the same practice in this respect. But this was part of a more important question than that of whether mere Treasury sanction should be obtained or not. He deprecated the increasing habit of the public service to make provision in their contracts for fines and stoppages, and then not inflicting them: because it frightened off the good contractor who did not know whether he had what was called "pull" enough to get his fine rebated. It led to nothing wrong no doubt, but to all manner of suspicion, grievances and complaints. Many contracts did not have these fines and stoppages, but if they were there they should be enforced remorselessly. He had come across cases which showed that in the clothing trade contracts had been made three years ago, at ridiculously low prices just after the war. The contracts in question were with the Post Office or the War Office, and the contractors found later on that they could get better prices from other people. In consequence the bad class contractors pleaded that they could not and did not carry out their Government work. He hoped that when a contractor threw up Government work under those circumstances, that he would not be allowed to be let off any fine or to obtain the same work at a higher price.

There should be competition by open tender for Government work. He was opposed to the "list" system by which only prominent manufacturers were open to tender. There were, of course, a great number of such firms in each trade on the list, though not all were asked. He could assure the Government that when there were only a few big firms asked to tender, they charged a higher price because of the limitation. By allowing tenders to be open small manufacturers would undercut the established firms by offering articles at lower prices if merely in order to have the privilege of having had a Government contract that helped them to further contracts. Government Departments were especially able to deal with such small manufacturers, as they had the best inspectors in the world. No other buyer in the country could secure better value for his money than could the War Office and Admiralty. He wished he could persuade these two Departments of the enormous savings they could secure by giving work to the lowest tender which was likely to prove satisfactory. He believed these Departments could save 10 per cent. on their orders. There was another direction in which these Departments lost money and that was by insisting upon certain cast-iron specifications which were handed down from year to year unaltered. Such rigidity prevented many firms from tendering. Here was one of the matters that the Public Accounts Committee ought to be able to deal with. They must see that the specifications were revised and were drawn up in conjunction with the trade. They would not get people competing when all their patterns and moulds were of an entirely different character from that required in the specification. He heard of a case the other day of a large firm of chemical manufacturers who were asked to supply two chemicals in a mixed form. They offered to supply them separately as they supplied the rest of their customers. The Government said they wanted them mixed. The firm did not want to go to the trouble of mixing them, so they supplied the mixed article at a price thirty times as high as they would have sold the chemicals separately for, and they were very much astonished when they got the contract. That was not the way to do business. That was where money was thrown away in the public service.

MR. MITCHELL-THOMPSON (Lanarkshire, N.W.) thought that the question of non-recovery of liquidated damages referred to by the hon. Member was a matter of supreme importance, because if the Government refused to pursue a course which they had given warning they would adopt they only discouraged the contractor who was disposed to act up to his contract. The Admiralty, he noticed, were the worst offenders in this matter. There was one case in the Report in which it was pointed out that out of 71 craft of all sorts on which final instalments were paid during the year. thirty-three were late in delivery. Of those there were only five on which liquidated damages were obtained and in four of those it was obtained in a modified form. He rose, however, not for the purpose of drawing attention to that point but to another specific point also in relation to the Admiralty, the question of "quantities in reserve." For the first time there was a divergency of practice between the War Office and the Admiralty in this matter. As a result of a conference between the representatives of the Treasury, the War Office, and the Admiralty, the War Office representative decided to abandon the provisions as to "reserve," and to adopt the recommendation made by the Committee in their second Report of this year, that was to say so far as giving a certificate by the Director-General of Ordinance was concerned as to the reserve and stores being up to standard. The Committee suggested that a quantity return should be given as well, but he could quite understand the War Office Minute that such a return was on public ground undesirable. The same view was held by the Admiralty, but they also held the view that these Departmental Stock Reports were of some value and that in regard to three Votes they were said to be of special value. He wished to know whether the representatives of the Admiralty could say that they would adopt the suggestion with regard to the other Admiralty Votes other than Vote 8. A certificate similar to that given by the War Office should be given by the Admiralty.

*THE PARLIAMENTARY SECRETARY TO THE ADMIRALTY (Dr. MACNAMARA, Camberwell, N.) said a statement was shown at the foot of the Store Votes in the Appropriation Account.

MR. MITCHELL-THOMPSON pointed out that when the hon. Gentleman was asked whether he would adopt that course he stated that the matter would require some further consideration. He hoped that it would receive that consideration, because where the Admiralty had not a statutory reserve he thought a certificate for these other Votes would give a security, financially and in speech, the value of which he thought the House would not fail to appreciate.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby) said he did not think the Government could adopt the suggestion of the hon. Member for Newcastle-under-Lyme that all grants-in-aid should be treated as loans as soon as the Colonies receiving them had become solvent. That would put this country into a position which it did not want to take up. We should be money lenders pure and simple instead of being the centre of a great Empire. That they should feel that at the moment they became prosperous these grants-in-aid would become loans would be to place this country in a situation in which it would not wish to find itself and for which he did not think his hon. friend would really press. At the same time all these questions of grants-in-aid must be carefully scrutinised. He did not suppose the hon. Member desired to make this proposal retrospective. ["No."] Then he could say at once that the Treasury did very carefully scrutinise every proposal made to them for a grant-in-aid, and did not agree to it except in cases where it was shown to be absolutely necessary.

MR. BELLAIRS (Lynn Regis) said a powerful appeal had been made by the hon. Gentleman the Member for Newcastle-under-Lyme in favour of open tender. But owing to certain considerations that system could hardly be applied to every instance. The Admiralty would be continually cross-questioned as to whether they had accepted the lowest tender, but that Department were bound to consider the situation and ability of a firm to cope with a large order. They had to consider war preparations and if a firm suddenly failed the Admiralty would be brought to book for having placed an order with such a firm. He had on several occasions noticed, however, that the Admiralty had exceeded the necessities of the case in the number of firms they asked to tender. He believed that something like twenty-three firms had been asked to tender for Rosyth, and he did not think that any stone could be legitimately thrown at the Admiralty in respect of their confining the great works at Rosyth to particular firms. He associated himself with those hon. Members who had drawn attention to the ineffectual nature of a debate of this kind which concerned itself with the Estimates of 1906–7 in the financial year 1908–9. He wished they could have some system by which a Committee could really look into the Estimates in the year in which they were current, and cross-question the officials as to the principles on which those Estimates were based. He thought that both the French and the German Parliaments had derived great advantages from such a system. If necessary, the Committee could hold its meetings secretly and consider the evidence, dealing with it only in their Report, and keeping such portions private as the officials desired. The Committee, as it stood to-day, as far as he could make out from reading the Report and the evidence, considered the whole question from the point of view of the Auditor-General's Report. If the Auditor-General did not draw their attention specifically to any questions there was a tendency to gloss over those questions, and there was also a tendency to consider only the financial side. Anybody familiar with administration in this country would bear him out in saying that infinitely more economy was derived from the consideration of principle than of petty details of finance. Then there was the question of the "Invincible," for which no tenders were invited. The Committee in their Report drew attention to the value that lay in secrecy. Of course, the Committee might be diffident about discussing the question whether it was necessary to build ships secretly, but he believed that it was the opinion of many naval officers that it was not necessary to keep designs so absolutely secret, nor did they succeed in their purpose of maintaining secrecy, while at the same time they lost the whole advantage of the expert criticism of such a body as the Society of Naval Architects. Attention was drawn in the Report to the loss incurred in salving of the "Montagu." There again, a principle was involved on which the Committee was quite competent to pronounce in favour of or against the Admiralty. Any body of civilians must feel very strongly in reference to the salving of the "Montagu." People who were connected with salvage companies, and who devoted a lifetime to the work of salvage, must be better acquainted than naval officers with the salving of ships. The Admiralty had placed the whole of the salvage operations under the direction of a naval officer, so they were not able to judge whether a salvage company would have salved the ship for less money; but certainly the system which the Admiralty had tried had resulted in utter failure, and the failure was acknowledged soon after Parliament had adjourned. There was no way, therefore, of bringing the Admiralty to book at the time, and one necessarily relied on the Public Accounts Committee to look into the question if they considered it their duty to do so, as to whether the Admiralty were to blame for placing the operations under the direction of a naval officer instead of a salvage company. He believed that in the case of the "Gladiator" the work was done under contract by a salvage company, and the ship was salved. In the Report of the Committee many things were omitted which should have been considered if the Auditor-General himself had only drawn the attention of the Committee to them. Wherever there was a break in the ordinary rules of Parliament, and any question arose, he thought it was positively the duty of the Auditor-General to draw the attention of the Public Accounts Committee to it. By an Order in Council, dated 8th January, 1906, which, according to the invariable rule with an Order in Council, should certainly be published in the *London Gazette*, the salary of a distinguished naval officer was increased. It was an invariable rule also for an Order in Council to be laid on the Table of the House. But neither of these ordinary rules was followed in that case, so that the discovery was not made until a year after. He really did not know why the Admiralty or the Privy Council should have disregarded the two rules in this particular case, for he was perfectly certain that if the Admiralty had come to the House of Commons and said that they considered it necessary that this distinguished officer should have an increase of salary, the House would have unanimously granted it. He did not see the advantage of breaking the ordinary rule, and he thought the Auditor-General should have drawn the attention of the Public Accounts Committee to the fact that the ordinary rule had been broken. Throughout the year 1906, a couple of dredgers were lent to the Egyptian Government for the purpose of dredging the Harbour of Alexandria. They were lent without payment. One of these dredgers was built in the year 1904; it was a new one, and presumably was built because it was wanted. The Egyptian Government made no payment whatever. Alexandria was one of the richest and most rising ports in the Mediterranean; it had a rich and thriving trade, and was well able to pay for the services of the dredgers. There, again, he thought the Auditor-General should have drawn the attention of the Public Accounts Committee to the correspondence with the Admiralty in regard to placing the two dredgers at the disposal of Alexandria for nothing. There were many ports in this country where they would like to have dredgers placed at their disposal for nothing. On the estimates for the year there was a charge of £20,000 from Osborne College. There, again, was a case where the Public Accounts Committee might have looked into the matter. They drew attention to the fact that the original estimate was something like £40,000. The Admiralty then went to the Treasury and asked that they might utilise the savings on other Votes and devote them to Osborne College. In that way the expenditure had been increased to £160,000—about four times the original cost—without the sanction of Parliament, and the Public Accounts Committee drew attention to the fact. In 1906, there was the item of £20,000 for the hospital, so that gradually and insidiously the cost of the scheme, in regard to which the Admiralty got praise for their wonderful economy, had turned out to be about four and-a-half times as great as the first Estimate. There was another point which illustrated a great scandal. An enormous scrapping of ships took place in the year 1902. Some of those ships, although they had recently been refitted before they were scrapped, the Admiralty in 1906 found it necessary to take to the dockyards and again refit at great expense. The "Philomel" had £23,000 spent on her refit during 1903–4, and just after the refit of that little cruiser the Admiralty fiat went forth that the vessel was to be put in "scrap" for a time. She was left without a maintenance crew on board. In 1905, the Admiralty determined to refit her, and they took her to Haulbowline, where she was refitted, and where she remained a great length of time—he did not know how long, nor at what expense, though it was considerable, and he believed that if the heads of Departments had not to look to the Treasury, who were putting a considerable check upon them, and were left to exercise their own judgment in effecting economies, it would be the better system. The whole thing depended on the character and capabilities of the heads of Departments. If they were men of considerable character, capable of estimating the value of evidence, they would undoubtedly arrive at conclusions as to what was vital, and what was not, to the country, and it was their bounden duty when the country wanted economy to check those things which were not vital and to refuse them if necessary, but never to refuse what, on the evidence of their official advisers, was vital. There were in this Report references to the Works Vote. He felt most strongly that if the First Lord and the Secretary of State for War had greater power given them and were made to look upon it as their business to provide economy as well as efficiency, the Works bill would never have reached such great dimensions. Before undertaking many of these naval works, for instance, the fortifications of the West Indies, the works at Bermuda and Halifax, the backwater at Malta and Dover Harbour, the Admiralty should have asked their advisers if these particular works were vitally necessary for this country to win success in war. He was convinced that no body of soldiers or generals would have told them they were vitally necessary to win success in war, though they might have told them they were useful, and the result would have been that many of those naval works that had cost so much money, and which we now so deeply repented, would never have been built.

*Dr. MACNAMARA said everybody must agree that there should be the fullest possible control by Parliament over expenditure. They wanted the greatest measure of Parliamentary control consistent with prompt and efficient administration. The hon. Member for Ipswich took exception to the system under which the Navy and Army were entitled, supposing the aggregate of their Votes was not exceeded, to transfer a surplus on one Vote to meet a deficiency on another Vote. That was set up temporarily under Section 4 of the Appropriation Act and was confirmed by Parliament in Section 5 of that Act. The seconder of the Motion said that that system led to bad estimating. He should like to look into that from the point of view of the Navy Estimates. Having regard to all the difficulties our public officials laboured under, they certainly estimated the future requirements of their Departments remarkably closely. In this connection he had heard with pleasure the speech of the right hon. Gentleman the Member for East Worcestershire. Their actuals came out very close indeed, having regard to all the circumstances. Estimates were affected, of course, by all sorts of unforeseen circumstances. They had industrial disputes, changes in price of materials, and delayed execution of contracts, and there might be casualties such as the loss of the "Montagu" in 1906-7, and the "Gladiator" in 1908-9. But notwithstanding all these things, and the fact that they were estimated so long before the actual expenditure, it was remarkable that they came out so closely to Estimates. The Vote they were considering involved a net Exchequer grant of £31,472,087. The seconder of the Motion before the House gave some instances in which Navy Votes had been exceeded and some in which they had a deficiency. Take Vote 1. Considering that the Vote for the pay of all ranks in the Navy amounted to £6,810,700, and had to be estimated eighteen months beforehand, it was remarkable there was not a larger deficiency than £254,137. Then on Vote 2, for the victualling of the Navy, which was £2,053,200, they had only a surplus of £187,206. The Vote for the Royal Naval Reserve was £426,600 and they showed a surplus of £80,309. On the Vote for shipbuilding, the dockyard *personnel*, which came to nearly £2,500,000, it was remarkable there was only a deficiency of £82,848. On the Vote for dockyard material of £2,827,200 they showed a deficiency of £264,934 and on the Vote for contract work, for which there was an Excheqer grant of £8,588,400, they showed a surplus of £199,886. That was partly due to a revision of the programme of 1906–7, and his predecessor had stated specifically on 27th July, 1906, that they proposed to lay down three "Dreadnoughts" instead of four, two ocean-going destroyers instead of five, and eight submarines instead of twelve, and to that extent got Parliamentary sanction for a departure from the programme as set out in the original Vote. The Naval Armaments Vote was practically £3,000,000, and there was a surplus of £260,000. The Works Vote was nearly £2,000,000; the surplus under £200,000. The Vote for miscellaneous effective services was very nearly £500,000, and the suplus was £78,000. Having regard to all the difficulties referred to by the right hon. Gentleman the Member for East Worcestershire, these were remarkable approximations to the Estimates. The seconder of the

Motion pointed out that on the net Estimate of £31,472,087 taken together they had surpluses of over £1,000,000, and deficiences of £660,000. They were entitled to wipe out their deficiences from their surpluses so long as the aggregate total was not exceeded, and they had surrendered this year nearly £400,000. He gathered that the idea was that they should have water-tight Votes, that they might be able to transfer from and to a sub-head with Treasury sanction, but they must stick to the Vote as it stood, without assistance from any other Vote, if they exceeded it. If they insisted upon that the country would run a serious risk of Departments over-estimating, and then there would be the temptation to over-spend. As a sailor would say they were bound to have something to veer and haul with and they would probably take care that they had it in the interests of the service. Having largely over-estimated they would live up to their Estimates. His hon. friend said this system of transferring the surplus of one Vote to meet the deficiency on another meant that they had a nice little nest egg to deal with before the close of the financial year. But in this case, if there was any egg at all, it was a bantam's egg, while under the hon. Gentleman's proposal he was afraid it might be an ostrich's egg. He did not think it practicable either in the interests of sound finance or of good administration. The question of non-competitive contracts and the question of the extension of contracts already entered into without Treasury sanction had been raised. The latter point was now receiving very serious consideration by the Admiralty, the War Office, and the Treasury, and he had better leave it there for the moment. The question of non-competitive contracts arose in this particular case in connection with the three "Invincibles." The Admiralty held that as they were secret designs it was desirable to depart from the principle of competitive tender. He would make a short quotation from a letter to the Treasury on the point—

> "My Lords cannot believe that it is the intention of the Public Accounts Committee, or the desire of their Lordships of the Treasury, to detract in any way from the full and unfettered responsibility which must rest upon the Admiralty for the administration of the business of His Majesty's Navy. They therefore consider it desirable to place on record that, in recognising the necessity for Treasury sanction in an exceptional case like that of the 'Invincibles,' involving a departure from the principle of competition, they cannot consent to an interpretation of that principle which would impair their responsibility, or impede their administrative action. At the same time they recognise that they must at all times be ready to justify to the satisfaction of Parliament any course of action on which they may decide in this respect."

They concluded—

> "I am also to point out that cases do, and must constantly occur in which competition is practically out of the question. In the exercise of their administrative functions the Admiralty alone can judge when such a case does or does not arise, and no useful purpose would be achieved by laying it down that Treasury sanction is required in such cases while delay and unnecessary correspondence must result."

He might add that the competitive tender was the rule at the Admiralty, and, where practicable, the open tender. It was only in cases like that of the "Invincibles," and where very highly specialised or patented articles were required and they had a list of firms who could supply them, that the Admiralty were bound to reserve a discretion, to depart, if necessary, from the system of competitive tenders. The Chairman and the seconder had referred to works undertaken without Parliamentary sanction. It was the rule that no new work of any magnitude, £2,000 and upwards, not specially approved by Parliament, should be begun without the prior sanction of the Treasury. But there were cases where there was a certain amount of urgency which did not fall within the definition of new works in the broader sense of the word. One was the case of making further provision for the boy artificers of Chatham. A hulk was requisitioned and it was found that the accommodation was not sufficient for all purposes, and it was decided to add certain further accommodation on shore, and they went on without coming to Parliament. The total involved was £2,900 and this year they spent as a matter of fact £812 17s. 6d. With regard to the question of whether they should give a certificate, as the War Office did, the value of stock at the close of the year was arrived at by actual valuation at current market rates of the whole of the articles on store charge. The stock was maintained in accordance with the authorised reserve approved by the Admiralty from time to time. A statement was included in the Appropriation Account under each Store Vote of the values of the stock at the beginning and end of the financial year. He was new to these matters, but he was giving very close personal attention to them. The Admiralty had one system in regard to these matters, and the War Office another. With the information at his disposal he was considering the relative value of the two systems, and would continue to give the question his closest personal consideration. He did not think he need deal with more than one more point, the point namely of liquidated damages from contractors for failure to carry out the conditions of their contracts. All large Admiralty contracts contained a clause providing for the recovery of damages in connection with failure to complete by a certain date. Extensions of time were, however, allowed in cases such as where the Admiralty required a change of design, or had failed to supply to the contractor by the time specified such articles as they had undertaken to supply. In certain cases not covered by the terms of contract, they had waived, wholly or partially, the liability of the contractor where no loss had been sustained by the Crown in connection with the contract. That was a fundamental principle which had been laid down. In special cases, such as work of an experimental character, they dealt with the matter on its merits in considering whether or not they would waive damages. That was in regard to large contracts. With regard to ordinary store contracts the conditions were different, and the check they had on the contractor was that if he failed he was face to face with the penalty of being struck off the Admiralty List, and that was not infrequently done. As to the extent to which liquidated damages had been waived, that was a matter with regard to which he had taken very great care. This year there had been twenty-six cases in which liability had been incurred and damages were recoverable, and of these they had waived nineteen, and had recovered in part respecting the remaining seven. The total amount of penalties waived was £8,000. Both he and the permanent officials, whom he could not praise too highly, took the greatest possible care to see that equity was satisfied and the interest of the public service safeguarded.

COLONEL R. WILLIAMS: I beg leave to withdraw the Motion standing in my name.

Motion, by leave, withdrawn.

CONSTABULARY (IRELAND) BILL.

Considered in Committee, and reported, without Amendment; to be read the third time To-morrow.

APPELLATE JURISDICTION BILL [LORDS].

Considered in Committee.

(In the Committee.)

Clauses 1 to 3 agreed to.

Clause 4:

LORD R. CECIL moved to omit subsection (1) which provided that the Lord Chancellor might request the attendance at any time of a Judge of the High Court to sit as an additional Judge of the Court of Appeal, and that any Judge whose attendance was so requested should attend the Court. He had no objection, he said, in principle, to Judges of the High Court being capable of being summoned to assist the Court of Appeal, but it must be obvious to the Committee and to the occupants of the Treasury Bench that that would throw additional work upon Judges of the High Court. The Attorney-General would know that there was a great deal to be said against any proposal which would add materially to the work of the Judges of the High Court. He could assure the Committee that this was really a matter of some seriousness. Before additional work was put upon the Judges of the King's Bench Division, the Committee ought to have some assurance that the Government fully realised the rather serious position of the work of that division at the present time. In 1870 there were eighteen Judges of the then Queen's Bench. Some few years later three Judges were taken away and given to the Court of

Appeal when it was set up by the Judicature Act. In exchange it was provided that the Court of Appeal and Chancery should assist the Queen's Bench Judges by going on circuit. The Attorney-General recollected perfectly well, he was sure, that when that experiment was tried it was found that the Chancery Judges were not sufficiently familiar with the Criminal Law to be able properly to discharge the duties of circuit. The matter was, therefore, abandoned and the Queen's Bench had not yet got the *quid pro quo* in respect of the three Judges taken away to assist the Court of Appeal. The result had been that there had been very considerable delays in the transaction of the Common Law business of the Court; so great had been the delay in fact, that last year an additional Judge was appointed to sit on the King's Bench side, and that had no doubt, afforded some relief. Moreover, since 1870, when the three Judges were taken away, business activity had greatly increased and even if this had not given rise to a greater number of cases, it had certainly added to their complexity and thus thrown additional duties upon the Judges of the Kings' Bench Division. In 1883 bankruptcy business was given to this Division; and when the Railway and Canal Commission Court was established it deprived the Division of a great part of the services of a Judge. Then the Court of Criminal Appeal was established. He had been a great supporter of that measure, and he saw no reason so far as he had been able to watch its work, to regret giving that support, but its establishment had added considerably to the work of the Kings' Bench Division. Three Judges sat almost every week in that Court. He desired to submit to the Attorney-General that if additional work was to be thrown upon this Division by the Bill, the Committee should be given some assurance that the Government were alive to the serious state of the block in the work of the King's Bench, and that they would devote their attention to ascertaining whether something could not be done to remove the block by the appointment of additional Judges. Owing to the development of industry, it was becoming increasingly important that commercial disputes should be decided with great rapidity. He felt that the House had not been always quite alive to the real failure of the State to meet the requirements of litigation. He did not believe that anybody was really satisfied with the system of arbitration. In his opinion, it was in many respects a thoroughly unsatisfactory system, and it was very largely resorted to, not because litigants liked it or preferred the rather haphazard decisions of the arbitrator to the scientific decisions of the Judge, but because they could not get their cases decided with the required rapidity by ordinary litigation. The existing system amounted to a denial of justice to many of his Majesty's subjects, and he pressed upon the Government the appointment of additional Judges as a method for redressing the grievance. The expense would be comparatively trifling. Court fees, according to some estimates, more than paid the salary of a Judge, or, according to a more moderate estimate, were sufficient to make that salary but a trivial addition to public expenditure. He was prepared for drastic reforms in the circuit system, but addition to judicial strength would be urgently necessary; it was unreasonable to suppose that we could do with less than was found necessary in 1870. He begged to move.

Amendment proposed—

"In page 2, line 10, to leave out subsection (1)."—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. RAWLINSON (Cambridge University) earnestly supported his noble friend. He had not the slightest objection to the clause, it was quite necessary, and it was not out of hostility to the Bill he had given notice to omit the subsection, but to call attention to the undesirability of taking Judges from the King's Bench Division. Last night further powers were given to the Lord Chief Justice to draw the Judges from the King's Bench to the Court of Criminal Appeal, and that would mean that the latter would sit in two divisions, making a great strain on judicial strength. When the Court of Criminal Appeal Bill was before the House it was stated that if it caused inconvenience to the King's Bench Division further Judges would have to be appointed. The Government were about to erect two new Law Courts, but unless they made further appointments there would not be Judges to sit in them. On 16th November ten King's Bench Judges were appointed to be on duty in London, but only five were able to keep those appointments, because they were actively engaged in work elsewhere. Judges were trying to do more work than they could possibly get through. The time had come for adding to the strength of the King's Bench Division.

The ATTORNEY-GENERAL (Sir W. Robson, South Shields) said that if he were disposed to deal controversially with the facts and arguments put forward he would have a difficult task. He did not propose to do so, because to deal with the question of additional Judges for the King's Bench Division was beyond the scope of the Bill, though undoubtedly a legitimate opportunity for a discussion of the subject was offered by the clause. But on this measure he could give no undertaking that additional Judges would be provided. He was not in a position to pledge the Government to any course whatever. He fully admitted the justice of what had been said as to the additional strain put upon the Judges by the Criminal Appeal Act and in other ways. If the arrangements as to circuits and chambers did not afford any relief, undoubtedly the considerations urged would become more urgent. There was not much difference of opinion upon the points raised, it was a question for the Treasury. It was a legitimate question to bring before the Government, and well worthy of attention.

Amendment negatived.

Mr. RAWLINSON moved to amend the clause by adding words to provide for the omission of the word "two" from the last paragraph of Section 1 of the Judicial Committee Act, 1883. He explained that the section of the 1883 Act referred to gave the Lord Chancellor power to appoint two Judges to sit on the Judicial Committee of the Privy Council. What he proposed by the Amendment was that the Lord Chancellor should have unlimited discretion. There was no reason why the number should be limited to two. No harm would be done by the Amendment, because it would rest upon the Lord Chancellor to make the appointments, and it certainly might in some cases do the greatest amount of good.

Amendment proposed—

"In page 2, line 22, at end, to add the words '(4) The last paragraph of Section 1 of the Judicial Committee Act, 1883 (3 & 4 Will. VI., c. 41), is hereby amended by the omission therefrom of the word "two."' "—(*Mr. Rawlinson.*)

Question proposed, "That those words be there added."

Sir W. ROBSON was understood to say that there were some considerations which, perhaps, had not occurred to his hon. and learned friend, which made it undesirable to accept the Amendment. The effect of it might be that the Government of to-day might multiply Judges without limit or restriction in what was now the highest Court in the Empire. Without this limit any Government might create Privy Councillors, and then call upon them to sit in this Court, and it might appoint them with regard to important Imperial cases, and the majority might consist of persons who had not been Judges. He did not think that the suggestion would make for the dignity of the Court or that *quasi* political considerations should be allowed to enter into the matter.

Mr. RAWLINSON thanked the hon. and learned Attorney-General for his courteous reply, and he felt his judgment must be better than his own. He would withdraw the Amendment, but he hoped the hon. and learned Gentleman would consider his previous Amendment in a better light, as it was on safer ground.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 5 agreed to.

Sir W. ROBSON, in moving a new clause, was understood to say that the reasons for it were very simple. The Judicial Committee Amendment Act of 1895 did not include the Chief Justice or a Justice of the High Court of Australia, as that Court had been formed since the Act, and that was also the case in regard to the Chief Justice or Judge of the Supreme Court of Newfoundland. The Schedule of the Act also did not include the Transvaal and the Orange River Colony, which had been added to the Empire since the date of the Act.

New clause—

"(1) Section one of the Judicial Committee Amendment Act, 1895, shall have effect as if the persons named therein included any person being or having been Chief Justice or a Justice of the High Court of Australia or Chief Justice or Judge of the Supreme Court of Newfoundland. (2) The schedule to the Judicial Committee Amendment Act, 1895, shall be read as if the Transvaal and the Orange River Colony were included therein as South African Colonies."—(*The Attorney-General.*)

Brought up and read the first and second time, and added to the Bill.

SIR W. ROBSON was understood to say that his next new clause dealt with a very short and simple matter. Originally every appeal was specially referred to the Judicial Committee of the Privy Council. Then there was an Act in 1844 by which the Privy Council were empowered to make an order for twelve months. It was now desired instead of an order being made for twelve months that the Privy Council should have power to make the order indeterminate to hear all cases of appeals as they arose.

New clause—

"His Majesty may from time to time, by Order in Council, make a general order directing that all appeals shall be referred to the Judicial Committee of the Privy Council until the order is rescinded, and Section nine of the Judicial Committee Act, 1844, shall have effect as if any such general order for the time being in force were substituted, in the first proviso to that section, for the annual order therein referred to, and the time for which the order remains in force were substituted for the twelve months next after the making of the general order. The expression 'appeals' in this section means appeals on petitions presented to His Majesty in Council, and includes any complaints in the nature of appeals and any petitions in the matter of appeals."—(*The Attorney-General.*)

Brought up and read the first and second time, and added to the Bill.

Amendments proposed—

"In page 3, line 6, to leave out the word 'Colony,' and to insert the words 'of Good Hope.'"

"In page 3, line 8, to leave out the word 'Colony.'"—(*The Attorney-General.*)

Agreed to.

Schedule agreed to. Bill reported; as amended, to be considered to-morrow.

LUNACY BILL [LORDS].

Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment.

STATUTE LAW REVISION BILL [LORDS].

Considered in Committee, and reported, without Amendment; to be read the third time To-morrow.

COMPANIES CONSOLIDATION BILL [LORDS].

As amended, considered; read the third time, and passed, with Amendments.

POISONS AND PHARMACY BILL [LORDS].

Consideration, as amended (in the Standing Committee), deferred till Tomorrow.

POST OFFICE CONSOLIDATION BILL [LORDS].

Considered in Committee, and reported, without Amendment; read the third time, and passed, without Amendment.

TUBERCULOSIS PREVENTION (IRELAND) BILL.

As amended (in the Standing Committee), considered.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.) in moving a new clause (extent and adoption of Part I of Act), was understood to say that he had, with some reluctance, consented to amend the clause as it originally stood on the Paper by the introduction of the words at line 4, "subject to the approval of the council of the county in which it is situated," but a fair proposal was made to him, and he had accepted it. The effect would be that the county council would have a veto in regard to the adoption of the Act by the sanitary authority of any urban or rural sanitary district.

New clause—

"(1) This Part of this Act shall extend to any urban or rural sanitary district in Ireland after the adoption thereof. (2) The sanitary authority of any such urban or rural sanitary district may adopt this Part of this Act by a Resolution passed at a meeting of the authority. (3) fourteen clear days at least before the meeting a summons to attend the meeting, specifying the business to be transacted, and signed by the clerk of the sanitary authority, shall be sent by post to, or delivered at the usual place of abode of, every member of the sanitary authority. (4) A Resolution adopting this Part of this Act shall be published by advertisement in a local newspaper and by hand-bills, and otherwise, in such manner as the sanitary authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at such time (not less than one month) after the first publication of the advertisement of the Resolution as the sanitary authority may fix, and, upon its coming into operation, this part of this Act shall extend to the district.

Brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. MOONEY (Newry) congratulated the right hon. Gentleman on having met the wishes of the representatives of Ireland and put down a clause of this kind. The position they were in with regard to the Bill upstairs was that if it was passed in the form in which it then was, it would have been a coercive measure and no power was left to the elected body to decide whether the condition of the county did or did not require the adoption of the Act, but the right hon. Gentleman had met them in a conciliatory spirit, and he thought that the result of the clause that the right hon. Gentleman had proposed would be to make the Bill a much better Bill than it would have been if it had been passed in its original form. If the directly-elected representatives of the people were trusted it would give the Act a much better chance of success than it would have had if it had been passed in the coercive form in which it was presented upstairs, under which the local body were not to be consulted in any shape or form, and had to pay for the Act. He could only thank the Government for allowing the Bill to take this form.

MR. BARRIE (Londonderry, N.) expressed the fear that the Amendment would have a different effect from what the right hon. Gentleman contemplated. They had to admit, however, reluctantly, that there were county councils in Ireland who were not so anxious to incur additional taxation with a view to preventing this terrible scourge, and his objection to the clause just moved by the Chief Secretary was that in such counties, the county councils largely composed of local people would not see there way to adopt the Act, whereas important urban county councils would be anxious to do so. Had the Chief Secretary seen his way to move the new clause in the form in which it stood on the Paper, it might have happened that a number of important county councils in the outward districts might have seen their way to provide sanatoria for the people of the poor rural areas.

MR. MOONEY pointed out that the provision of sanatoria did not come in here. They came on in Clause 2. This Amendment only dealt with Clause 1.

*SIR W. J. COLLINS expressed his satisfaction at the action of the Chief Secretary in placing this Amendment on the Paper. Its chief effect would be to bring the notification of tuberculosis into line with the notification of infectious diseases. If this clause had not been put on the Paper it would have led to the anomalous state of things that in one part of Ireland the medical man might have to notify a case of tuberculosis where he would not have to notify a disease like smallpox and typhus. He cordially welcomed the clause and hoped the Bill as amended would pass into law.

Question put, and agreed to.

Amendment proposed—

"In line 4, to insert the words 'subject to the approval of the council of the county in which it is situated.' "—(*Mr. Birrell.*)

Agreed to.

Clause, as amended, added to the Bill.

New clause—

"Any urban authority being a sanitary authority shall have power to provide that all meat killed outside the town and brought into the town for sale shall on the same day, before being exposed for sale, be brought into the abattoir or other place to be appointed by the council for inspection between the hours of eight o'clock a.m. and eleven forenoon, and shall not be sold or exposed for sale until after same has been inspected and passed as fit for human food, but no person shall be appointed or act as an inspector under this section who does not possess a certificate as a meat inspector."—(*Mr. Mooney.*)

Brought up and read the first and second time, and added to the Bill.

MR. BARRIE moved to leave out Clause 1 for the purpose of expressing the view that the Bill, in the shape it now came to the House, would be cordially welcomed in all parts of Ireland. He also desired to remove any misapprehension that might have arisen owing to the hostility with which the Bill was met, in its original shape, in Committee. He desired to give expression to their appreciation of the propaganda for the prevention of this scourge initiated by the Countess of Aberdeen, and of the work carried on by her and her co-workers, to which the Bill now before the House was due. It was a matter of regret that Ireland had suffered so much from this scourge in the past, as it had been proved that the climate had not been the cause of the high death-rate from the disease. He only moved this Motion in order to give hon. Members an opportunity of making their opinion on the subject plain, and to express the hope that the Bill now about to be passed would be cordially welcomed in all parts of Ireland.

LORD BALCARRES seconded the Motion in order that he might express his satisfaction that the Bill had been made quasi-permissive. Though it might not be of great and immediate benefit to the country, the Bill would strengthen and assist that propaganda which in a very few years would bring public opinion to such a pitch that the measure would be made compulsory. When the Bill was in Committee the objections brought forward by hon. Members representing constituencies from every part of Ireland were so serious, and were pressed with such obvious sincerity and candour that the Government were obliged to give way on certain important points upon which they would not have given way if they had recognised at the outset that the Bill was to be made permissive. He thought, therefore, that when the Government made the Bill permissive they ought to have taken off the Paper some of the Amendments they put on at an earlier stage to placate the opposition. One particular portion of Clause 1 was objected to by the hon. Member for the City of London on the ground that it coerced the poor people. The representative of the Board of Agriculture saw the danger and said the Bill was only to be applied in serious cases. An Amendment was accordingly put in that cases should only be described as notifiable when infective discharges were liable to communicate the disease to other persons. Clause 1, therefore, was only going to apply where the patient was in an advanced stage of consumption. He agreed that they must do their utmost for these tuberculous people, but the problem in Ireland more than in any other country wanted to be dealt with at the beginning. They wanted to prevent the inception of these germs far more than to relieve the last months of men or women who were suffering; and he could not help thinking it was a mistake so to limit the Bill as to prevent the initial stages of the disease being dealt with under the powers of Clause 1. It was apparent from the circular they had issued, that it was the official view of the Local Government Board that the effort should be made at the beginning, and, that being so, how could it be contended that notifiable power should only be given in cases where infective discharges were liable to communicate the disease to other people? He wished to press upon the right hon. Gentleman that the Amendment which he had put in the Bill in order to placate opposition had no scientific basis; and he hoped he would co-operate with all good agencies in Ireland so that at the earliest possible moment, and when public opinion justified it, the power of notification would be extended to include cases of tuberculosis in their earlier stages. The present limitation was unwise and almost dangerous.

Amendment proposed to the Bill—

"In page 1, line 7, to leave out Clause 1."—(*Mr. Hugh Barrie.*)

Question proposed, "That the words proposed to be left out, to the word 'person,' in page 1, line 7, stand part of the Bill."

MR. BIRRELL said that the object of the Bill, of course, was to prevent the spread of the disease, but it was desirable, at all events in the first instance, that they should not go beyond public opinion. He quite agreed, however, with the noble Lord, and he hoped as time went on that people would recognise how important it was to deal with the disease at the earliest possible stage and would co-operate for that purpose.

MR. KETTLE had no desire to be ungracious, but speaking with the sincerity and seriousness of a person two members of whose own immediate family had died from tuberculosis he was bound to say that the Bill was going to scare everybody and cure nobody in Ireland. He believed the medical men supporting the Bill had made pretensions to knowledge they did not possess; and, as the noble Lord had said, the disease, if it was to be compulsorily notifiable, ought to be notified in its early stages. He had, in his own experience, had the perfectly definite statement of a leading medical specialist to the effect that there might be no symptoms of tuberculosis in a person and yet he might be dead and buried four months afterwards. If they were going to make the notification compulsory, if they were going to make a physiological black list in Ireland, if they were going to make an attack upon family life, and if they were going to make those who were afflicted with the disease to be looked upon as lepers, then the State ought to have done something to help them; but it had done nothing to help by contributing funds for the establishment of sanatoria or the making of provision for the treatment of tuberculous patients. Whatever satisfaction the Bill might give the Viceregal Lodge in Dublin, he did not believe it was going to cure a single person afflicted with tuberculosis. The problem was rather one of bad houses, under-feeding, and general depression than anything else. Certain Members were exalting the Bill as one of first-class importance, and he felt bound to make these remarks.

*SIR W. J. COLLINS could not help feeling that the noble Lord was in error in saying that the words would necessarily apply merely to advanced forms of disease, and that they had no scientific basis for putting them into the Bill. The distinction was not between the earlier and later stages, but between those forms of tuberculosis which were communicable, and those forms which were not communicable to other persons. The object of the Bill was to deal with those forms of tuberculosis which were communicable to other persons. There were many tuberculous diseases of the brain, of the glands, of the joints, and of other parts of the body which were in no sense communicable, and to notify such cases would be unnecessary expense and an unnecessary precaution. The distinction was between those forms of tubercle which were communicable and those which were not; and those which gave rise to infective discharges were communicable. The Bill would practically apply to all forms of communicable tuberculosis. He maintained there was ample scientific justification for the insertion of the words, and that it was not correct to say they would apply only to the later stages of the disease.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean) said the Bill must be looked upon as purely experimental, and he confessed that some of them who had read, as laymen interested in public health, recent scientific writings on the subject from foreign countries were inclined to say that we were two or three years behind the age, and that the whole of the science on which this Bill rested was now extinct in the countries where the matter had been more carefully considered. He would not pursue that, because he spoke only as an amateur, and had no authority to put that view before the House, but no one could read recent literature without being aware of the fact, and they had it officially before them, because recent Reports on the health of the Army and Navy agreed in that view. In the final Report on the health of the Army the Director-General took a view entirely different from that on which this Bill was based, and he said at the conclusion that it was quite evident that in the present state of our scientific knowledge we must be most careful in laying down any principles, and he explained why the whole of these principles had been given up temporarily until further experiments had taken place. In the Navy the whole mode of treatment which was based on this scientific theory which came from Italy three years ago had been the cause of repeated deaths, and was a complete failure, and it had been abandoned at Netley Hospital.

Mr. MOONEY said he would not have risen but for the remarks of the noble Lord on the front Opposition bench, who was against the insertion of the words which left it to the Local Government Board to prescribe the form, and who talked about the conciliatory methods with which they were met upstairs. He did not think he would accuse the Vice-President of conciliatory methods at all. He shared the views of the hon. Baronet and the Member for St. Pancras. He was never in favour of the Bill. Like the hon. Member for Tyrone, from personal knowledge he knew a good deal more about consumption than he wished he knew. In his opinion, the Bill would not do everything its promoters hoped. The housing of the working classes would do far more. He did not believe they could cure tuberculosis by notification. They had to stop it by giving more sanitary houses, and teaching people that pure air and fresh water were not going to do them any harm. If they were to take away what was inserted upstairs this would be a much more sweeping Bill than any Member had any idea of. People talked about tuberculosis when they meant something which was entirely different. Everyone was in favour of having some notification of consumption, but if they were to have notification of tubercular disease of the finger or the toe, they would be making the thing more of a farce than it was at present. He was very sorry to hear the right hon. Gentleman express his opinion that he had gone a little too far in putting the obligation on the Local Government Board. If he moved to leave that out in another place the Bill would become far more objectionable than in its original form.

Amendment negatived.

Mr. BIRRELL said there were one or two Amendments on Clause 1. They had some little discussion upstairs on the language of the clause as originally drafted, which was rather vague. He thought it was perfectly intelligible with the Amendments he proposed.

Amendments proposed—

"In page 1, line 7, after the word 'person,' to insert the words 'within any district to which this part of this Act extends.'"

"In page 1, line 8, after the word 'suffering,' to insert the words 'in any prescribed circumstances.'"

"In page 1, line 9, to leave out from the first word 'any,' to the first word 'medical,' in line 11, and to insert the words 'prescribed form, or at any prescribed stage, the.'"

"In page 1, line 11, after the word 'days,' to insert the words 'after he becomes aware of the fact.'"—(*Mr. Birrell.*)

Agreed to.

Amendment proposed—

"In page 1, line 12, to leave out from the word 'health,' to the word 'a' in line 13."—(*Mr. Birrell.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. MOONEY said he did not quite understand the Amendment. The effect would be to send the medical officer of health a certificate in the prescribed form.

They had had a long discussion upstairs as to who was the medical officer who should get the notification. A doctor might not be satisfied that a patient was suffering from tuberculosis, and might send him to Dublin to consult a physician, and if he came to the conclusion that he was suffering from tuberculosis the Committee decided that the person who ought to have knowledge of it was the medical officer of the district in which the person resided, because there was no earthly good, as far as he could see, in notifying the medical officer in Dublin that a person who lived in Galway had been imported and was found to be suffering from tuberculosis. He should like some explanation why the right hon. Gentleman now put aside the considered judgment of the Committee upstairs.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said the explanation was simply this. Now that the Act had been made, not compulsory, but adoptive, if they left the words as they were in the Bill it might be necessary to send the notification to the medical officer of a district where the Act had not been adopted.

MR. MOONEY: Do I understand that suppose Galway puts the Act into force and Dublin does not, and a man comes up from Galway and consults a doctor in Dublin that doctor is not bound to notify anyone?

MR. CHERRY said it was the medical practitioner attending on the person, and not the specialist who was obliged to notify. The meaning was the same. The medical officer of health could only be the medical officer of the district in which the patient resided. If the district adopted the Act it was binding on all persons resident in the district, and the medical practitioner attending on the patient was bound to give notice to the medical officer of the district.

MR. COOPER (Southwark, Bermondsey) said that if a man came up from Galway, which had not adopted the Act, to Dublin, which had, for advice, and then went back to Galway, it seemed hard that the people of Dublin should be compelled to pay half-a-crown for a notification to the medical officer in Dublin, where the man did not reside. Some words ought to be inserted to clear up that point.

LORD BALCARRES said these words were inserted to meet the objection of the hon. Member for Limerick, and to ensure that the notification should be charged to the district in which the man was ordinarily resident and not that in which the doctor lived, where the man might happen to go. The difficulty seemed to be entirely removed owing to the voluntary notification.

Amendment agreed to.

Amendment proposed—

"In page 1, line 15, to leave out from the word 'with' to the word 'shall,' in line 17, and insert the words 'the President of the Royal College of Physicians in Ireland and the President of the Royal College of Surgeons in Ireland.'"—(*Mr. Birrell.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

LORD BALCARRES asked if this would prevent these two learned bodies nominating a member to serve. The President was changed frequently, and it often occurred, naturally enough, that one President was especially versed in a particular branch of science, and it might be most to the convenience of the two colleges and to the assistance of the Local Government Board particularly, if some latitude were given to the learned societies to select the most qualified member.

MR. BIRRELL replied that he did not think it would prevent such nomination. The President in the exercise of his discretion could take the judgment of some learned colleague.

MR. COOPER said he was assured that the Irish Branch of the British Medical Council were quite willing to undertake the duty, but they were of opinion that it would be inequitable that the expenses incurred in the discharge of the duty should fall upon them. They hoped, therefore, the Government would introduce a clause providing the necessary financial aid.

MR. MOONEY said that Irish Members were quite willing to leave the matter to such competent persons as the Presidents of these two learned societies.

Amendment agreed to.

MR. COOPER moved to leave out subsection (4). It was hard on medical men, he contended, that they should be fined if they did not notify cases of tuberculosis within seven days. It was not always easy to form a diagnosis. In some cases a diagnosis could be very easily made, while in other cases the opposite was the fact. Where the provision had been tried it had lamentably failed, and it only put the medical profession to a good deal of difficulty and annoyance.

Amendment not seconded.

Amendments proposed—

"In page 2, line 4, to leave out the words 'seven days,' and to insert the words 'the period specified in this section.'"

"In page 2, line 12, to leave out the word 'local,' and to insert the word 'sanitary.'"

Agreed to.

MR. COOPER moved to insert after the word 'supply,' the words 'all materials for the collection of the suspected discharges and send.'" He moved the Amendment, he explained, in order to raise the question upon whom was to fall the cost of sending the material to the bacteriologist to be examined. The sputum must be sent in a proper vessel, and if it was transmitted by post the half-crown fee for examination would be considerably depleted. He wished to know what means the Government had taken to secure that the sender should be able to send free of cost. He believed that the suggestion——

MR. DEPUTY-SPEAKER: Order, order. I find that this Amendment affects the question of rates, and so it is not in order.

Amendment proposed—

"In page 2, line 37, to leave out the words 'of the district.'"—(*Mr. Birrell.*)

Agreed to.

Clause, as amended, agreed to.

MR. MOONEY moved an Amendment designed to provide that where a local authority put people out of a house for purposes of disinfecting it, they should provide temporary shelter instead of sending the people to the poorhouse.

Amendment proposed—

"In page 3, line 5, after the word 'bedding,' to insert the words 'Section fifteen (which relates to temporary shelter).'" — (*Mr. Mooney.*)

Agreed to.

MR. COOPER moved to leave out the words in Clause 2, "and Section seventeen (which relates to power of entry)." He said that this was a very powerful clause, and he did not think the House could really recognise what it meant. It meant that a medical officer of health on an order made by a Justice of the Peace might enter the house of anybody suffering from tuberculosis, between the hours of 10 a.m. and 6 p.m., and compulsorily remove him to a sanatorium or a workhouse. As it was improbable that there would be a sanatorium available, the clause practically meant that a man could be forcibly moved into the ward of a workhouse. This was not like the case of a man suffering from small-pox or typhus, as tuberculosis was nothing like so dangerous as these. He maintained that this forcible removal to a workhouse was a strong order and further than the Government had a right to go.

Sir W. J. COLLINS in seconding, said that as the work proposed was of an educative character he thought the Government would be well advised to leave out Section 17.

Amendment proposed—

"In page 3, line 6, to leave out the words 'and Section seventeen (which relates to power of entry).'"—(*Mr. Cooper.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr CHERRY expressed sorrow that the seconder held that view. He spoke with great deference in the presence of so great a medical authority, but he was afraid the hon. Member did not quite realise the conditions. In large tenement houses one patient might do an infinite amount of harm to the people who lived in the same room with him or in an adjoining room. If there were no power to enter for the purpose of removing a patient, the Bill, in his opinion, would be useless.

Mr. MOONEY quite agreed. He did not think that the Bill was much good as it was, but if they left out this provision it would not be worth the paper it was written on. Without the subsection it would be impossible to carry out a single provision of the Bill in insanitary dwellings. They might as well withdraw the whole Bill, unless they gave this right of entry.

Amendment negatived.

Amendments proposed—

"In page 3, line 12, to leave out from the word 'apply,' to end of clause."

"In page 8, line 15, to leave out from the word 'hospital,' to end of clause, and to insert the words, 'provided under this part of this Act, or being treated in any dispensary so provided."

Agreed to.

Mr. COOPER moved: "In page 9, line 5, to leave out from the word 'council,' to the word 'for' in line 8, and to insert the words 'shall appoint for their county a superintendent medical officer of health to carry out the provisions of this Act, the Housing Acts, the Public Health Acts, the Infectious Diseases Prevention Acts, and.'"

Mr. MOONEY, rising to a point of order, asked whether the Amendment was in order, as it provided for the appointment of a superintendent medical officer, and would presumably impose a charge upon the rates.

Mr. DEPUTY-SPEAKER: Nothing is said about paying. I do not think it is out of order.

Mr. COOPER said he moved the Amendment in order to support the action of a conference of medical men in Ireland which asserted that it was absolutely useless to appoint a bacteriologist, and that it would be very much better to appoint for each county a superintendent medical officer of health. If the Act was to be a valuable and living one it was necessary that certain things should be done; he therefore urged that a superintendent medical officer should be appointed to carry out the provisions of the Act, exactly as medical officers were appointed in the counties of England. Anybody who knew the insanitary condition of a very large number of houses in Ireland would recognise that this was a very reasonable request and would, if carried out, do much to make the Act effective.

Amendment not seconded,

Amendments proposed—

"In page 10, line 5, to leave out the words 'superintendent medical,' and to insert the words 'medical superintendent.'"

"In page 10, line 6, to leave out the words 'superintendent medical,' and to insert the words 'medical superintendent.'" — (*Mr. Cherry.*)

Agreed to.

MR. CHERRY moved the insertion of words in Clause 17 to provide procedure for the settlement of disputes with respect to the compensation to be paid for animals. He said the procedure for ascertaining the amount of compensation to be paid for a tuberculous cow which had been slaughtered was set forth in Section 274 of the Public Health Act. That section stated the compensation was to be ascertained by arbitration, provided that it was over £20, and by Court of Summary Jurisdiction if under that amount. It was suggested in Committee that arbitration should be made to apply to all cases irrespective of the value. He understood that objection was taken to that on behalf of the farmers, because in a case where a cow was valued at £15 there might be spent on the arbitration proceedings five or six times the value of the cow.

Amendment proposed—

"In page 10, line 25, after the word 'dispute,' to insert the words 'by arbitration.'"—(*Mr. Cherry.*)

Question proposed, "That those words be there inserted."

MR. MOONEY said he was astonished at the position taken up by the Attorney-General. He maintained that it the clause was left in its present form they would never get an arbitration at all. Section 274 of the Public Health Act proposed to be incorporated in this Bill provided that there was any doubt that full compensation should be paid, any dispute as to actual damage should be settled by arbitration in the manner provided by that Act, or if the compensation did not exceed £20 it should be ascertained by Court of Summary Jurisdiction, and then it went on to say that in no case could a larger amount than £10 be recovered. If those whose animals were slaughtered were to get their disputes settled by arbitration, some further words must be put in. The Amendment proposed by the Attorney-General would make the clause worse. As the clause stood it did not carry out the intention of the promoters of the Bill, of the Committee upstairs, or, apparently, of the Attorney-General.

MR. CHERRY said that in a case where the amount was so small as £10 procedure by arbitration with counsel employed would be enormously expensive. The section as it stood would allow of the whole matter being dealt with by an arbitrator in half a day and at less trouble.

MR. MOONEY said it was the opinion of the Committee upstairs that a Court of Summary Jurisdiction was not the proper tribunal to deal with cases of this kind. He did not mean that in dealing with disputes the parties should bring in the complicated and expensive methods of arbitration. He meant that some provision should be made for the two parties agreeing between themselves as to the appointment of an arbitrator. If the hon. and learned Gentleman could undertake to introduce words which would achieve that object, he would be satisfied. The clause at present was vague and ambiguous. He did not think a divisional police magistrate in Dublin should be asked to decide whether a cow was worth £10 or more.

MR. CHERRY said if they had arbitration they must have a form of arbitration whose decisions could be enforced. If the hon. Gentleman wanted him to consider the matter further he would do so.

MR. MOONEY said if the hon. and learned Gentleman left the clause in its present form he might add to the gaiety of the Press of Dublin when cases came before the magistrates, but he would not expedite justice.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 10, line 28, at end, to insert the words '(3) Where a milch cow has been slaughtered under this section, the carcase shall belong to the sanitary authority, and shall be buried or returned to the owner or otherwise disposed of by the sanitary authority according as the condition of the animal or carcase or other circumstances require or admit.' ")—*Mr. Cherry.*)

Question proposed, "That those words be there inserted."

Lord BALCARRES said that according to his recollection of what took place upstairs there had been some misapprehension. What was put before the Committee was that where a tubercular beast was slaughtered and properly buried it would be a hardship if the owner were not allowed to take away his hide and horns which were not considered dangerous and might be sold. Now it was to be provided that where a milch cow had been slaughtered the carcase might be returned to the owner. That was the very thing the owner ought not to possess, because he was going to be compensated for it. The only question was as to whether the compensation was adequate. Upstairs it was claimed by hon. Members below the gangway that the carcase should be returned to the owner.

Mr. MOONEY: No.

Lord BALCARRES said, of course, if the hon. Member corrected him he begged pardon. He thought it was only a case for the hide and horns being returned.

Mr. CHERRY was understood to say that he thought the noble Lord had been misinformed.

Mr. MOONEY said the case they put forward was that in the majority of cases they were all agreed that the carcase should not be returned to the owner, but it was pointed out that there were a great many cases in which it would create great hardship because there was a certain form of tuberculosis which affected only portions of the carcase. Therefore, as the value of the whole animal would be a good deal more than £10 they thought it was only fair that if it could be proved that by the removal of a part of the carcase the rest was fit for human food the owner should get it, and that he should not lose the difference between the value of the animal and £10. They had already passed a clause giving the authority power to appoint a competent meat inspector, and he ought to be able to decide whether any harm would be done to the public health by returning any portion of the carcase to the owner.

Mr. BARRIE felt very strongly that under no circumstances should the reputation of Irish meat suffer from the possibility of the meat of any animal slaughtered under this Act finding its way into the market. He therefore, thought there was grave objection to the clause as proposed by the Government. It was certainly not carrying out the undertaking given to the Committee.

***Mr. COOPER** said he understood that the carcase was to be left in the possession of the sanitary authority to be destroyed. It was so in London at the present day. He could hardly understand why the owner of an animal was compensated if after a cow was killed it came into his possession. If a cow was so seriously diseased as to have anything like tuberculosis of the udder, other portions of the body must be affected, and there were no means by which the carcase of an animal could be made immune. In Berlin they had a method and that was the only country where this meat was sold, of steaming the flesh in a very high temperature, and destroying the tuberculosis bacilli, but in England no such thing had been adopted, and it was doubtful whether it was wise that they should allow meat from a tuberculous animal to be sold to the public at all. In London they always destroyed the whole of the animal, and compensation was given while the horns and hoofs and those portions of the body which could be used for manufactures were handed over to the owner for sale. He certainly objected to leaving these words in. To return the flesh to the owner was very dangerous to the community, and was in direct contradiction of all the Acts which had been passed up to the present time.

MR. JOYCE (Limerick) reminded the House that all these animals would be perfectly in the control of the medical superintendent of health of the district and the sanitary authorities in those districts would be advised what to do by their medical superintendent and would carry out the advice given by him. They had perfect confidence in their medical superintendents.

Amendment agreed to.

MR. CULLINAN (Tipperary, S.) in moving to omit Clause 19, was understood to inquire whether under this clause half of the expenses of the medical officers' salaries and the cost of medicines would be contributed as heretofore under the Public Health (Ireland) Acts to the local authorities by the Treasury. They were performing a public duty, and this should be done. He drew the attention of the President of the Board of Agriculture to this subject, and he had hoped he would be able to meet the case.

Amendment proposed—

"In page 11, line 9, to leave out Clause 19."—(*Mr. Cullinan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. CHERRY was very sorry that he was not informed on the subject. He certainly never heard of any such provision.

MR. MOONEY said they had not a representative of the Treasury present in Committee when his hon. friend raised his point, which was a very serious one for Ireland. As had been pointed out, prior to the Act of 1907, half of these charges were borne by the Treasury or the Local Government Board, but the expenditure incurred under this Bill would be borne wholly by the ratepayers, who would get no contribution whatever. It was rather a bigger question than the right hon. Gentleman seemed to think.

MR. CHERRY said he knew it was a very big question, but he did not wish to commit himself. He knew that it was a very large question.

MR. MOONEY wanted the right hon. Gentleman to give an undertaking that before the Bill passed through its stages in another place he would carefully consider the matter. The right hon. Gentleman shook his head, but it was a very important matter. If they passed the Bill they did not want it to be a dead letter, because no county council was going to appoint any officer if they were to be told that they lost the contribution. He thought the right hon. Gentleman might consider whether he could not make it clear that the sanitary authority and the county council were not going to be in a worse position if they adopted this Act while a neighbouring county might say they would let things go on and would not pay any expenses. At least the right hon. Gentleman should give an undertaking that before the Bill came from another place he would inquire and see if something could not be done, because otherwise he could assure him with the greatest possible desire to see this Bill working if it was passed, in its present form, no local authority or urban sanitary authority would appoint a single officer.

Mr. CHERRY said his right hon. friend the Chancellor of the Exchequer was present, and if he liked to give him authority to pledge the Treasury he should be glad to do so.

Mr. BARRIE asked whether the right hon. Gentleman would not give an undertaking that he would make a reprsentation in the proper quarter that the proper sum should be provided. He agreed with the views put before this House by the hon. Member below the gangway that unless local authorities were encouraged to put this Act into operation by some grant providing half of these salaries, the Act would be a dead letter in many counties in Ireland.

Mr. CULLINAN said that was the reason why he brought the matter forward and urged it upon the Vice-President of the Board of Agriculture, so as to have the matter loked into. As the hon. Member for Newry said, the county councils of Ireland would not employ anyone to stamp out the disease and carry out the intentions of the Bill if they had to bear the entire burden. It was really such an important matter that he asked for some undertaking that it would be considered, and the county councils told what their position was to be.

Amendment negatived.

Amendment proposed—

"In page 11, line 24, after the word 'Acts,' to insert the words 'the expressions "veterinary surgeon" and "duly qualified veterinary surgeon," respectively, mean a person registered under the Veterinary Surgeons Act, 1881.'"—(*Mr. Birrell.*)

Mr. Mooney.

Question proposed, "That those words be there inserted."

Mr. MOONEY said the veterinary surgeons registered under the Act of 1881 had passed certain examinations in Edinburgh and London, but under an Act passed about six years ago they now had a college in Dublin. He did not know whether a person who had received the certificate of this Dublin college would be a person registered under the Veterinary Suregons Act, because the Veterinary College of Dublin was not in existence in 1881.

Amendment agreed to.

Bill read the third time, and passed.

COMMONS BILL [Lords].

Read a second time.

Bill committed to a Committee of the Whole House for to-morrow.—(*Sir Edward Strachey.*)

INCEST BILL.

Lords' Amendments considered, and agreed to.

PUBLIC MEETING BILL.

Read a second time.

Bill committed to a Committee of the Whole House for to-morrow.—(*Lord R. Cecil.*)

Whereupon Mr. Speaker, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eighteen minutes after Ten o'clock.

HOUSE OF LORDS.

Thursday, 17th December, 1908.

PRIVATE BILL BUSINESS.

EDINBURGH AND LEITH CORPORATIONS GAS ORDER CONFIRMATION BILL. [H.L.]

Read 2ª (according to order), and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899) deemed to have been reported from the Committee; Then Standing Order No. XXXIX. considered (according to order), and dispensed with; Bill read 3ª, Amendments made, Bill passed, and sent to the Commons.

RETURNS, REPORTS, ETC.

INDIA (ADVISORY AND LEGISLATIVE COUNCILS, &c.)

Vol. I. Proposals of the Government of India and Despatch of the Secretary of State.

AGRICULTURAL STATISTICS (IRELAND).

Return of prices of crops, live stock, and other Irish agricultural products for 1907-1908.

Presented (by command), and ordered to lie on the Table.

CENSUS OF PRODUCTION ACT, 1906.

Rules made by the Board of Trade, CCXVII. and CCXVIII.: Laid before the House (pursuant to Act), and ordered to lie on the Table.

LUNACY BILL [H.L.].

POST OFFICE CONSOLIDATION BILL [H.L.].

Returned from the Commons agreed to.

COMPANIES (CONSOLIDATION) BILL [H.L.]

Returned from the Commons agreed to, with Amendments: The said Amendments to be considered To-morrow.

INCEST BILL.

ARDS RAILWAYS BILL.

PERTH CORPORATION ORDER CONFIRMATION BILL.

Returned from the Commons, with the Amendments agreed to.

INDIAN REFORMS.

The SECRETARY of STATE for INDIA (Viscount MORLEY OF BLACKBURN) rose to make a statement on the proposals of the Government of India, and to present Papers. The noble Viscount said: My Lords, I feel that I owe a very sincere apology to the House for the disturbance in the business arrangements of the House of which I have been the cause, though the innocent cause. It has been said that by the delays in bringing forward this subject I have been anxious to burke discussion. That is not in the least true. The reasons which made it seem to me desirable that the discussion on this most important and far-reaching range of topics should be postponed were—I believe the House will agree with me—reasons of common sense. In the first place, discussion without anybody having seen the Papers to be discussed would evidently have been ineffective. In the second place it would have been impossible to discuss those Papers with good effect—the Papers which I am going this afternoon to present to Parliament—until we know, at all events in some degree, what their reception has been in the country most immediately concerned. And then thirdly, my Lords, I cannot but apprehend that discussion here—I mean in Parliament—would be calculated to prejudice the reception in India of the proposals which the Government of India and His Majesty's Government agree in making. My Lords, I submit those are three very essential reasons why discussion in my view, and I hope in the view of this House, was to be deprecated. This afternoon your Lordships will be presented with a very modest Blue-book of 100 or 150 pages, but I should like to promise noble Lords that to-morrow morning there will be ready for them a series of Papers on the same subject of a size so enormous that the most voracious or even carnivorous appetite for Blue-books will have ample food for augmenting the joys of the Christmas holidays.

The observations which I shall ask your Lordships to allow me to make are the opening of a very important chapter in the history of the relations of Great Britain and India; and I shall ask the indulgence of the House if I take a little time, not so much in dissecting the contents of the Papers, which the House will

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

be able to do for itself by and by, as in indicating the general spirit that animates my noble friend the Viceroy of India and His Majesty's Government here in making the proposals which I shall in a moment describe. I suppose, like other Secretaries of State for India, I found my first idea was to have what they used to have in the old days—a Parliamentary Committee to inquire into Indian Government. I see that a predecessor of mine in the India Office, Lord Randolph Churchill—he was there for too short a time—in 1885 had very strongly conceived that idea. On the whole I think there is a great deal at the present day to be said against that idea.

Therefore what I have done was at the instigation of and in concert with the Government of India, first to open a chapter of constitutional reform, of which I will speak in a moment, and next to appoint a Royal Commission to inquire into the internal relations between the Government of India and all its subordinate and co-ordinate parts. That Commission will report, I believe, in February or March next, February, I hope, and that again will involve the Government of India and the India Office in Whitehall in pretty laborious and careful inquiries. It will not be expected—it ought not to be expected—that an Act passed as the great Act of 1858 was passed, amidst great excitement and very disturbing circumstances, should have been in existence for half a century and that its operations would not be the better for supervision.

Now, I spoke of delay in these observations, and unfortunately delay has not made the skies any brighter. But, my Lords, do not let us make the Indian sky cloudier than it really is. Do not let us consider the clouds to be darker than they really are. Let me invite your Lordships to look at the difficulties—the considerable difficulties, even the formidable difficulties—that now encumber us in India, with a due sense of proportion—I can give no better example which I would wish Members of this House, or of any other House, to imitate than what I may be perhaps allowed to call the intrepid coolness of Lord Minto.

What is the state of things as it appears to persons of authority and of ample knowledge in India? One very important and well-known friend of mine in India says this—

> "The anarchists are few, but, on the other hand, they are apparently prepared to go any length and to run any risk. It must also be borne in mind that the ordinary man or lad in India has not too much courage, and that the loyal are terrorised by the ruthless extremists."

It is a curious incident that on the very day before the attempt to assassinate Sir Andrew Fraser was made he had a reception in the college where the would-be assassin was educated, and his reception was of the most enthusiastic and spontaneous kind. I only mention that to show the curious and subtle atmosphere in which things now are in Calcutta. I will not dwell on that, because, although I have a mass of material, this is not the occasion for developing it. I will only add this from a correspondent of great authority—

> "There is no fear of anything in the nature of a rising, but if murders continue a general panic may arise and greatly increase the danger of the situation. We cannot hope that any machinery will completely stop outrages at once. We must be prepared to meet them. There are growing indications that the native population itself is alarmed, and that we shall have the strong support of native public opinion."

The view of important persons in the Government of India is that in substance the position of our Government in India is as sound and as well-founded as it has ever been.

But I shall be asked, has not the Government of India been obliged to pass a measure introducing pretty drastic machinery? Well, that is quite true, and I, for one, have no fault whatever to find with them for introducing this machinery and for taking that step. On the contrary, my Lords, I wholly approve and I share, of course, to the full the responsibility for it. I understand that I am exposed to some obloquy on this account—I am charged with inconsistency. Well, that is a matter on which I am very well able to take care of myself, and I should be ashamed to detain your Lordships for one single moment in arguing that. Quite early after my coming to the India Office an attempt was made—pressure was put on me to repeal the Regulation of 1818 under which men are now being summarily deported without trial and without charge, and without intention to try or to charge. Well that, of course, is a tremendous power to place in the hands of an Executive Government. But I said to myself then, and I say now, that I decline to take out of the hands of the Government of India any weapon that they have got in circumstances so formidable, so obscure, and so impenetrable as are the circumstances that surround British Government in India.

There are two paths of folly in these matters. One is to regard all Indian matters—Indian procedure and Indian policy—as if it were Great Britain or Ireland, and to insist that all the robes and apparel that suit Great Britain or Ireland must necessarily suit India. The other is to think that all you have got to do is what I see suggested, to my amazement, in English print—to blow a certain number of men from guns and then your business will be done. Either of these paths of folly leads to as great disaster as the other. I would like to say this about the Summary Jurisdiction Bill—I have no illusions whatever. I do not ignore, and I do not believe that the noble Marquess opposite or anyone else can ignore, the frightful risks involved in transferring in any form or degree what should be the ordinary power under the law to arbitrary personal discretion. I am alive, too, to the temptations under summary procedure of various kinds, to the danger of mistaking a headstrong exercise of force for energy. Again, I do not for an instant forget, and I hope those who so loudly applaud legislation of this kind do not forget, the tremendous price that you pay for all operations of this sort in the reaction and the excitement that they provoke. If there is a man who knows all these drawbacks I think I am he. But there are situations in which a responsible Government is compelled to run these risks and to pay this possible price, however high it may appear to be.

It is like war, a hateful thing, from which, however, some of the most ardent lovers of peace, and some of those rulers of the world whose names the most ardent lovers of peace most honour and revere—it is one of the things from which these men have not shrunk. The only question for us is whether there is such a situation in India to-day as to justify the passing of the Act the other day and to justify resort to the Regulation of 1818. I cannot imagine anybody reading the speeches—especially the unexaggerated speech of the Viceroy—and the list of crimes perpetrated, and attempted to be perpetrated, that were read out last Friday in Calcutta—I cannot imagine that anybody reading that list and thinking what they stand for, would doubt for a single moment that summary procedure of some kind or another was justified or called for. I see about a tendency to criticise this legislation on grounds that strike me as extraordinary. After all, it is not our fault that we have had to bring in this measure. You must protect the lives of your officers. You must protect peaceful and harmless people, both Indian and European, from the bloodstained havoc of anarchic conspiracy. I deplore this necessity, but we are bound to face the facts. I myself recognise this necessity with infinite regret, and with something, perhaps, rather deeper than regret; but it is not the Government, either here or in India, who are the authors of this necessity, and I should not at all mind, if it is not impertinent and unbecoming in me to say so, standing up in another place and saying exactly what I say here, that I approve of these proceedings and will do my best to support the Government of India.

Now a very important question arises, for which I would for a moment ask the close attention of your Lordships, because I am sure that both here and elsewhere it will be argued that the necessity, and the facts that caused the necessity, of bringing forward strong repressive machinery should arrest our policy of reforms. That has been stated, and I dare say many people will agree with it. Well, the Government of India and myself have from the very first beginning of this unsettled state of things never varied in our determination to persevere in the policy of reform.

I put two plain questions to your Lordships. I am sick of all the retrograde commonplaces about the weakness of concession to violence and so on. Persevering in our plan of reform is not a concession to violence. Reforms that we have publicly announced, adopted, and worked out for more than two years—it is no concession to violence to persist in these reforms. It is simply standing to your guns. A number of gentlemen, of whom I wish to speak with all respect, addressed a very courteous letter to me the other day that appeared in the public prints, exhorting me to remember that Oriental countries inevitably and invariably interpret kindness as fear. I do not believe it. The Founder of Christianity arose in an Oriental country, and when I am told that Orientals always mistake kindness for fear, I will say that I do not believe that any more than I believe the stranger saying of Carlyle that, after all, the fundamental question between any two human beings is—Can I kill thee or canst thou kill me? I do not agree that any organised society has ever subsisted upon either of those principles or that brutality is always present in the relations between human beings.

My first question is this. There are alternative courses open to us. We can either withdraw our reforms or we can persevere in them. Which would be the more flagrant sign of weakness—to go steadily on with your policy of reform in spite of bombs, or to let yourself openly be forced by bombs and murder clubs to drop your policy? My second question is—Who would be best pleased if I were to announce to your Lordships that the Government have determined to drop the reforms? It is notorious that those who would be best pleased would be the extremists and irreconcilables, because they know very well that for us to do anything to soften estrangement and appease alienation between the European and native populations would be the very best way that could be adopted to deprive them of fuel for their sinister and mischievous designs. I hope your Lordships will agree in that, and I should like to add one reason which I am sure will weigh very much with you. I do not know whether your Lordships have read the speech made last Friday by Sir Norman Baker, the new Lieutenant-Governor of Bengal, in the Council at Calcutta dealing with the point which I am endeavouring to present. In a speech of great power and force he said that these repressive measures did not represent even the major part of the policy dealing with the situation. The greater task, he said, was to adjust the machinery of government so that their Indian fellow-subjects might be allotted parts which a self-respecting people could fill, and that when the constitutional reforms were announced, as they would be shortly, he believed that the task of restoring order would be on the road to accomplishment. For a man holding such a position to make such a statement at that moment is all the corroboration that Lord Minto and I and His Majesty's Government need for persisting in our policy of reform. I have talked with Indian experts of all kinds concerning reforms. I admit that some have shaken their heads, they did not like reforms very much; but when I have asked, "Shall we stand still, then?" there is not one of those experienced men who has not said, "That is quite impossible. Whatever else we do, we cannot stand still."

I should not be surprised if there are here some who say: You ought to have some very strong machinery for putting down a free Press. A long time ago a great Indian authority, Sir Thomas Munro, used this language which I will venture to quote, not merely for the purpose of this afternoon's exposition, but in order that everybody who listens and reads may feel the tremendous difficulties which we and our predecessors have overcome. Sir Thomas Munro said—

> "We are trying an experiment never yet tried in the world—maintaining a foreign dominion by means of a native army; and teaching that army, through a free Press, that they ought to expel us, and deliver their country."

He went on to say—

> "A tremendous revolution may overtake us, originating in a free Press."

I do not deny that for a moment. On the contrary, I recognise to the full the enormous force of a declaration of that kind. But let us look at it as practical men who have got to deal with the government of the country. Supposing you abolish freedom of the Press or suspend it, that will not end the business. You will have to shut up schools and colleges, for what would be the use of suppressing newspapers if you do not shut the schools and colleges? Nor will that be all. You will have to stop the printing of unlicensed books. The possession of a copy of Milton or Burke, or Macaulay, or of Bright's speeches, and all that flashing array of writers and orators who are the glory of our grand, our noble English tongue—the possession of one of these books will, on this peculiar and unfair notion of government, be like the possession of a bomb, and we shall have to direct the passing of an Explosives Books Act. All this and its various sequels and complements make a policy if you please; but after such a policy had produced a mute, sullen, muzzled, lifeless India, we could hardly call it, as we do now, the brightest jewel in the Imperial Crown. No English Parliament would permit such a thing, and the last man to acquiesce in such a policy is the present Governor-General of India.

I do not think I need go through all the contents of the despatch of the Governor-General and my reply, containing the plan of His Majesty's Government, which will be in your Lordships' hands very shortly. I think your Lordships will find in them a well-guarded expansion of principles which were recognised in 1861, and are still more directly and closely connected with us now by the noble Marquess opposite in 1892. I have his words, and they are really as much a key to the papers in our hands as they were to the policy of the noble Marquess at that date. He said—

> "We hope, however, that we have succeeded in giving to our proposals a form sufficiently definite to secure a satisfactory advance in the representation of the people in our legislative Councils, and to give effect to the principle of selection as far as possible on the advice of such sections of the community as are likely to be capable of assisting us in that manner."

Then you will find that another Governor-General in Council in India, whom I greatly rejoice to see still among us, my noble friend the Marquess of Ripon, said in 1882—

> "It is not primarily with a view to the improvement of administration that this measure is put forward; it is chiefly desirable as an instrument of political and popular education."

The doctrines announced by the noble Marquess opposite, and by my noble friend are the standpoint from which we approached the situation and framed our proposals.

I will not trouble the House by going through the history of the course of the proceedings—that will be found in the Papers. I believe the House will be satisfied, just as I am satisfied, with the candour and patience that has been bestowed on the preparation of the scheme in India, and I hope I may add it has been treated with equal patience and candour here; and the end of it is that, though some points of difference arose, though the Government of India agreed to drop certain points of their scheme—the Advisory Councils, for example—on the whole there was complete agreement, even remarkable agreement, between the Government of India and myself as to the best way of dealing with these proceedings in Legislative Councils. I will enumerate the points very shortly, and, though I am afraid it will be tedious, I hope your Lordships will not find the tedium unbearable, because, after all, what you are considering to-day, what you are beginning to consider to-day, is the opening of a great chapter in the history of British responsibility to India, and, therefore, I hope you will pardon the tedium of these rather technical details. There are only a handful of distinguished Gentlemen in this House who understand the details of Indian Administration, but I shall be very pleased to explain them as shortly as I can.

This is a list of the powers which we shall have to acquire from Parliament when we bring in a Bill. I may say that we do not propose to bring in the Bill this session. It would be idle. I propose to bring in a Bill next year. This is the first power we shall come to Parliament for. At present the maximum and minimum number of Legislative Councils are fixed by statute. We shall come to Parliament to authorise an increase in the numbers of those Councils, both the Viceroy's Council and the Provincial Councils. Secondly, the members are now nominated by the head of the Government, either the Viceroy or the Lieutenant-Governor. No election takes place in the strict sense of the term. The nearest approach to it is the nomination by the Viceroy upon the recommendation of a majority of voters of certain public bodies. We do not propose to ask Parliament to abolish nomination. We do propose to ask Parliament, in a very definite way, to introduce election working alongside nomination with a view to the aim admitted in all previous schemes, including that of the noble Marquess opposite—the due representation of the different classes of the community. Third. The Indian Councils Act of 1892 forbids—and this is no doubt a very important prohibition—either resolutions or divisions of the Council in financial discussions. We shall ask Parliament to repeal this prohibition. Fourth. We shall propose to invest legislative Councils with power to discuss matters of public and general importance, and to pass recommendations or resolutions to the Government. The Government will deal with them as carefully, or as carelessly, as they think fit—just as the Government do here. Fifth. To extend the power that at present exists to appoint a Member of the Council to preside. Sixth. Bombay and Madras have now Executive Councils, numbering two. I propose to ask Parliament to double the number of ordinary members. Seventh. The Lieutenant-Governors have no Executive Council. We shall ask Parliament to sanction the creation of such Councils, consisting of not more than two ordinary members, and to define the power of the Lieutenant-Governor to overrule his Council. I am perfectly sure there will be differences of opinion as to these proposals. I only want your Lordships to believe that they have been well thought out and that they are accepted by the Governor-General of India at this moment.

There is one point of extreme importance which, no doubt, though it may not be quite diplomatic for me to say so at this stage, will create some controversy. I mean the matter of the official majority. The House knows what an official majority is. It is a device by which the Governor-General or the Governor of Bombay or Madras may secure a majority in his Legislative Council by means of officials. And the officials, of course, for very good reasons, just like a Cabinet Minister or an Under-Secretary, whatever the man's private opinion may be, would still vote, for the best of reasons, and I have no doubt with perfect wisdom, with the Government. But anybody can see how directly, how palpably, how injuriously, an arrangement of this kind tends to weaken, and I think I may say, even to deaden, the sense of trust and responsibility in the non-official members of these councils. Anybody can see how the system tends to throw the non-official member into an attitude of peevish, sulky, permanent opposition, and, therefore, has an injurious effect on the minds and characters of members of these Legislative Councils.

Viscount Morley of Blackburn.

I know it will be said—I will not weary the House by arguing it, but I only desire to meet at once the objection that will be taken—that these councils will, if you take away the safeguard of the official majority, pass any number of wild-cat Bills. The answer to that is that the head of the Government can veto the wild-cat Bills. The Governor-General can withhold his assent, and the withholding of the assent of the Governor-General is not a defunct power. Only the other day, since I have been at the India Office, the Governor-General disallowed a Bill passed by a Local Government which I need not name, with the most advantageous effect. I am quite convinced that if that Local Government had had an unofficial majority that Bill would not have been passed, and the Governor-General would not have had to refuse his assent. But so he did, and so he would if these gentlemen, whose numbers we propose to increase and whose powers we propose to widen, chose to pass wild-cat Bills. And it must be remembered that the range of subjects within the sphere of Provincial Legislative Councils is rigorously limited by statutory exclusions. I will not labour this point now. Anybody who cares, in a short compass, can grasp the argument of which we shall hear a great deal, will find it in Paragraphs 17 to 20 of my reply to the Government of India in the Papers which will soon be in your Lordships' hands.

There is one proviso in this matter of the official majority in which your Lordships may, perhaps, find a surprise. We are not prepared to divest the Governor-General in his Council of an official majority. In the Provincial Councils we propose to dispense with it, but in the Viceroy's Legislative Council we propose to adhere to it, though let me say that here we may seem to lag a stage behind the Government of India themselves—so little violent are we—because the Government say, in their despatch—On all ordinary occasions we are ready to dispense with an official majority in the Imperial Legislative Council, and to rely on the public spirit of non official members to enable us to carry on the ordinary work of legislation. My Lords, that is what we propose to do in the Provincial Councils. But in the Imperial Council we consider an official majority essential. It may be said that this is a most tremendous logical inconsistency. So it would be on one condition. If I were attempting to set up a Parliamentary system in India, or if it could be said that this chapter of reforms led directly or necessarily up to the establishment of a Parliamentary system in India, I, for one, would have nothing at all to do with it. I do not believe—it is not of very great consequence what I believe, because the fulfilment of my vaticinations would not come off very soon—in spite of the attempts in Oriental countries at this moment, interesting attempts to which we all wish well, to set up some sort of Parliamentary system — it is no ambition of mine, at all events, to have any share in beginning that operation in India. If my existence, either officially or corporeally, were prolonged twenty times longer than either of them is likely to be, a Parliamentary system in India is not the goal to which I for one moment would aspire.

One point more. It is the question of an Indian member on the Viceroy's Executive Council. The absence of an Indian member from the Viceroy's Executive Council can no longer, I think, be defended. There is no legal obstacle or statutory exclusion. The Secretary of State can, to-morrow, if he likes, if there be a vacancy on the Viceroy's Council, recommend His Majesty to appoint an Indian Member. All I want to say is that, if, during my tenure of office, there should be a vacancy on the Viceroy's Executive Council, I should feel it my duty to tender to the King my advice that an Indian member should be appointed. If it were on my own authority only, I might hesitate to take that step, because I am not very fond of innovations in dark and obscure ground, but here I have the absolute and the zealous approval and concurrence of Lord Minto himself. It was at Lord Minto's special instigation that I began to think seriously of this step. I quite admit it is a very important step, but I think this concurrence points in the right direction. Anyhow, this is how it stands, that you have at this moment a Viceroy and a Secretary of State who both concur in a recommendation of this kind. I suppose—if I may be allowed to give a personal turn to these matters—that Lord Minto and I have had a very different experience of life and the world, and we belong I daresay to different schools of national politics, because Lord Minto was appointed by the party opposite. It is a rather remarkable thing that two men differing in this way in antecedents and so on should agree in this proposal—Lord Minto zealously concurring in it, even instigating it. We need not discuss what particular portfolio should be assigned. That will be settled by the Viceroy on the merits of the individual. The great object, the main object, is that the merits of individuals are to be considered and to be decisive irrespective and independent of race and colour.

But I am not altogether without experience, because a year ago, or somewhat more, it was my good fortune to be able to appoint two Indian gentlemen to the Council of India that sits at the Indian Office. Many apprehensions reached me as to what might happen. So far, at all events, those apprehensions have all been dissipated. The concord between the two Indian members of the Council and their colleagues has been unbroken, their work has been excellent, and you will readily believe me when I say that the advantage to me of being able to ask one of these two gentlemen to come and tell me something about an Indian question from an Indian point of view is enormous. I find in it a chance of getting the Indian angle of vision, and I feel sometimes as if I were actually in the streets of Calcutta. I do not say there are not some arguments on the other side, but this, at all events, surely is common sense—to have in the Government of the country, for the

Governor-General to have at his side a man who knows the country well, who belongs to the country and can give him the point of view of an Indian, surely that is likely to prove an enormous advantage.

I can say, further, in the Judicial Bench in India everybody recognizes the enormous service that it is to have Indian members of abundant learning, and who add to that abundant learning a complete knowledge of the conditions and life of the country. I propose at once, if Parliament agrees, to acquire powers to double the Executive Council in Bombay and Madras, and to appoint at least one Indian member in each of those cases, as well as in the Governor-General's Council. Nor, as the Papers will show, shall I be backward in advancing towards a similar step, as occasion may require, in respect of at least four of the major provinces.

I wish that this chapter had been opened at a more fortunate moment; but, as I said when I rose, I repeat—do not let us for a moment take too gloomy a view. There is not the slightest occasion. None of those who are responsible take a gloomy view. They know the difficulties, they are prepared to grapple with them and to keep down mutinous opposition, and they hope, and we hope, to attract the good will which must, after all, be the real foundation of our prosperity and strength in India. We believe that is so far unsapped, and we believe that this admission, desired by the Governor-General and desired by us, of the Indians to a larger and more direct share in the government of their country and in all the affairs of their country, without for a moment taking from the central power its authority, will strengthen the foundations of our position. It will require great steadiness, constant pursuit of the same objects, and the maintenance of our authority, which will be all the more effective if we have, along with our authority, the aid and assistance, in responsible circumstances, of the Indians themselves.

Military strength, material strength, we have in abundance. What we still want to reacquire is moral strength——moral strength in guiding and controlling the people of India in the course on which time is launching them. I should like to read a few lines from a great orator about India. It was a speech delivered by Mr. Bright in 1858, when the great Government of India Bill was in another place. I would like to read this language, and I hope your Lordships will like it. Mr. Bright said—

> "We do not know how to leave India, and therefore let us see if we know how to govern it. Let us abandon all that system of calumny against natives of India which has lately prevailed. Had that people not been docile, the most governable race in the world, how could you have maintained your power there for 100 years? Are they not industrious, are they not intelligent, are they not, upon the evidence of the most distinguished men the Indian service ever produced, endowed with many qualities which make them respected by all Englishmen who mix with them? . . . I would not permit any man in my presence without rebuke to indulge in the calumnies and expressions of contempt which I have recently heard poured forth without measure upon the whole population of India. . . . The people of India do not like us, but they scarcely know where to turn if we left them. They are sheep, literally without a shepherd."

However that may be, we at least at Westminster here have no choice and no option. As an illustrious Member of this House wrote—

> "We found a society in a state of decomposition, and we have undertaken the serious and stupendous process of reconstructing it."

Macaulay, for it was he, said—

> "India now is like Europe in the fifth century."

Yes, a stupendous process indeed. The process has gone on with marvellous success, and if we all, according to our various lights, are true to our colours, that process will go on. Whatever is said, I for one—though I am not what is commonly called an Imperialist—so far from denying, I most emphatically affirm that for us to preside over this transition from the fifth European century in some parts, in slow, uneven stages, up to the twentieth—so that you have before you all the centuries at once as it were—for us to preside over that and to be the guide of people in that condition, is, if conducted with humanity and sympathy, with wisdom and political courage, not only a human duty and a great national honour, but what was called the other day one of the most glorious tasks ever confided to any country.

***THE MARQUESS OF LANSDOWNE:** My Lords, it is a long time, I venture to say, since this House has listened to a statement of such absorbing interest as that just made by the noble Viscount, and I hope I may be permitted, in the name of those who sit round me, to congratulate him, not only upon the great eloquence which characterised his observations, but upon the directness and sincerity with which he approached the many difficult and, I may say, embarrassing questions with which he had to deal. I hope I may also congratulate him upon the fact that he was able, in spite of an indisposition that we all regretted, to perform his somewhat laborious task with conspicuous success. The noble Viscount told us that voluminous Papers would shortly be laid before us, and he suggested that in these circumstances it would be better if we did not attempt to discuss the details of proposals which are yet hardly before us. I make no complaint of that suggestion. I think it is a suggestion which I should have ventured to make myself if it had not been made to us. The noble Viscount told the House indeed that the policy he was unfolding marked the opening of a new chapter in the history of our relations with India; and when that chapter is presented to us with the high authority not only of the noble Viscount and of the expert advisers who surround him at the India Office, but with the authority of the Viceroy and his Council, I feel that it would indeed be rash on the part of any Member of your Lordships' House, upon the spur of the moment, to offer any criticisms which might occur to him at the time, but which he might afterwards desire to modify.

Let me say in passing with what pleasure I heard that part of the noble Viscount's statement in which he was able to tell us that in regard to the whole of this policy he and the Viceroy of India and his Council were at one. Anyone who has had to do with Indian affairs knows what an encouragement it is to the person who represents this country at the head of the affairs of India to know that he is not only in close touch with, but loyally supported by, the Cabinet Minister who has charge of the Indian business of the Government; and that solidarity, if I may use the word, is to my mind of particularly happy omen at the present moment. I shall, therefore, in these circumstances, in the few words which I am about to address to the House avoid any attempt to touch upon details, and I shall merely make one or two observations of quite a general character which have occurred to me.

The policy which is submitted to us is a twofold policy. There are proposal framed with the object of repressing disorder and of suppressing crime and anarchy, and there are other proposals for making far-reaching alterations in the machinery of the Government of India. I may be permitted to say that in my view each of these two sets of proposals should be considered strictly upon its own merits. It is our duty to restore a sense of security in India; it is also our duty to re-adjust the machinery of the Government of India from time to time should we be clearly of opinion that the country is ripe for a change and that a change will add to the efficiency of our administration. But I believe that it would be a mistake either on the one hand to be deterred from the introduction of reforms of this kind by the fact that in certain parts of India a dangerous agitation is in progress, or on the other hand to represent these great modifications of our present system of government as a counterpoise to the repressive measures, as the result of a kind of transaction in which one set of proposals was, as it were, to be set against the other. I do not think that the treatment of the subject by the noble Viscount was open in any way to the imputation that he dealt with these two proposals otherwise than as I have suggested.

The noble Viscount gave to your Lordships some description of the present condition of India. His account of the situation was, it seems to me, eminently judicial and temperate. It was not without its sombre touches, and we cannot shut our eyes to the fact that there are dark shadows in the picture. But, on the other hand, he told us with confidence that the general condition of the country was sound; and I hope that we may take it from him that in his opinion these disorders, however dangerous, are of a local character, and that we need not assume that the whole country is honeycombed by the kind of organisations and conspiracies which are, unfortunately, prevalent in some parts of it. There is another consideration which seems to me to be satisfactory. As far as I am aware, it is not alleged that these disorders are in any way due to a general dissatisfaction with British rule or with the feeling that those who represent us in that country are harsh, oppressive, and unjust in their treatment of the natives of India. I believe myself that those Indians who think at all about these things are perfectly aware that our treatment of them has been, not only just, but generous, and that the withdrawal or disappearance of our rule would bring about chaos and calamity from which all races and all parts of the country would suffer.

There is another consideration—it is not in India alone that upheavals of this kind are to be noticed at the present time. These disorders seem to be the result of the somewhat unhappy operation of Western ideas of the most mischievous and dangerous type operating on the minds of an ignorant and impulsive population. It is like the case of some of those diseases which assume a peculiarly virulent type when introduced into new countries. In the same manner the political diseases which affect the Indian community seem to have acquired in certain parts of India a special degree of virulence and it seems to me that the noble Viscount established clearly that there is a case for special legislation designed to strengthen the hands of the Government of India against those who are responsible for these proceedings.

We have seen in the Press this morning an account of the new repressive measures introduced in the Viceroy's Council. I did not catch quite clearly from the noble Viscount whether that measure is specially directed against abuses on the part of the Indian Press; but I take it that offences committed by persons connected with the Press, if they come within the general scope and purview of the Bill, will be dealt with like other offences committed against order.

I am deeply convinced that it is necessary to strengthen the hands of the Government of India against the seditious Press of that country. Although the person who wreaks his own vengeance or spite by blowing up a number of his fellow-citizens with dynamite is a great criminal, I am not sure that the man is not a greater criminal still who, by the distribution of inflammatory literature, incites people to crime which he has not himself the courage to commit. I hope that I shall not be supposed to favour anything which can be described as interference with the liberty of the Press. The Indian Press enjoys a full measure of liberty already, and no one that I am aware of has ever desired to deprive it of that full measure of liberty. I mean by this that the Indian newspaper is perfectly free, and should in my opinion remain perfectly free, to criticise, and, if it likes, abuse the Government of the country, but it should not be left free to incite to sedition and to recommend the perpetration of crimes. There is no analogy between the Press in this country and the Indian Press. In this country the best antidote to abuses on the part of the Press is to be found in the Press itself. A gross mis-statement or an atrocious libel is detected in this country by the Press. It is exposed and promptly condemned; but only those who know India are able to say how utterly unscrupulous are the writers of these miserable publications and how absurdly credulous are those who read them.

I will not attempt this evening, therefore, to discuss the details of the repressive measures proposed by the Government of India. I will only say that it seems to me that they ought to comprise at any rate these features. In the first place, a strong Court, commanding general public respect; in the next place, a procedure so contrived as to avoid needless delay; and in the third place, penalties of a sufficiently deterrent character. I will add that the measures now put forward seem to me to be taken not a moment too soon, and not to be one whit too strong. We owe them to those able and devoted men who are carrying on the admistration of the Indian Empire for us. We owe them to the not les devoted women who share their risks and anxieties, and we owe them last and not least to those—if I may use the language of the noble Viscount—"dim masses of the people of India" whom we endeavour to protect against famine and against pestilence, and whom it is our duty to protect also against the still more dangerous contagion with which they are now threatened.

I pass for a moment to the proposals which have reference to the machinery of the Government of India. The noble Viscount was perfectly correct when he pointed out that this policy was not a new policy, but the extension of an old policy—a policy which, far from being forced on the Government of India, has been adopted by them readily, willingly, and of their own accord, in the hope of educating the people of the country to a better sense of their responsibility, and also in the hope if possible of lightening the heavy burden which falls on the shoulders of a necessarily very much centralised Government. The last step was taken, the noble Lord told the House, when I had some connection with the affairs of India; and I say unhesitatingly that those with whom I was associated at that time, if they had been asked whether what we then recommended was to be regarded as a final arrangement never to be hereafter modified, would have answered the question in the negative. The changes made in 1892, I believe, have worked on the whole well; and I do not think that any dissentient voice was raised when, in the Imperial Address to the Princes and people of India, published not long ago in the name of His Majesty, it was announced that the time had come when, in the judgment of the Viceroy and his councillors, the principle of representative institutions might be prudently extended. Therefore I approach that part of the scheme not only with an open mind, but with a mind predisposed in its favour. I will, however, venture to enter two reservations.

In the first place, although I am sure that in dealing with these bodies it is desirable to introduce so far as circumstances permit the principle of representation, I am not by any means convinced that it is wise to rely over much upon the principle of popular election as we understand it here, and unless I misunderstood what fell from the noble Viscount, I gathered that in this case he did not intend to proceed upon popular election pure and simple, but upon something more in the nature of an extension of the present plan under which members of councils are recommended by constituencies of different kinds, nominated but not absolutely elected in the sense in which a Member of the House of Commons is elected in this country by his constituents.

LORD MORLEY OF BLACKBURN: We do propose—not over the whole field—but we do propose the substitution of election in a large degree for the old process of recommendation.

*THE MARQUESS OF LANSDOWNE: I promised I would endeavour not to discuss details, and, therefore will not follow that further, but I am glad to have elicited the noble Viscount's explanation. I will only say this, that in my belief popular election in India is really an exotic idea. It is an idea which we ourselves introduced into the country. We did it cautiously and tentatively, beginning only with the local and less important bodies. I do not think those who know the country best will tell you that it has been an unqualified success, or that it is always greatly appreciated where it has been introduced. In the Indian municipalities, I am under the impression that it was at first regarded with considerable indifference, and that it worked very far from well wherever racial feelings ran high. But I pass from that.

The other reservation which I should like to make is this. As to the functions of these Legislative Councils, I am inclined to say by all means let us give them the fullest possible measure of opportunity for criticism, consultation, deliberation, interpellation, and so forth, but I think we must be extremely careful how we do anything which might have the result of paralysing the Executive Government. The noble Viscount himself pointed out how widely different were the circumstances of the Opposition in this country and the Opposition, so-called, in India. The Opposition in this country criticise the Government with the feeling at the back of their mind that a time may come when they will change place with the Government and when they will have to incur the responsibility which rests for the moment with the Government. But you can never allow the Indian Opposition to turn the Government out, and therefore the two cases really are fundamentally different.

I heard with some satisfaction the announcement that although there was to be an unofficial majority in the provincial councils, the noble Viscount intended at present that the official majority should remain in the Viceroy's Council. That seems to me to be a wise proposal, and it accords with what seems to me the sound principle in all these cases—namely, that you should work upwards from the bottom and make your reforms in the municipal assemblies and in the provincial bodies before attempting to touch the body which is entrusted with the high political affairs of the Indian Empire.

Only one word more. The noble Viscount announced that it was intended to extend the Executive Councils to other provinces, that it was intended to add native members to them, and that it was in contemplation to take the first opportunity of adding a native member to the Council of the Viceroy. I will reserve what I have to say upon these questions until some other occasion. I will only venture to say that the proposal to add a native member to the Viceroy's Executive Council is—and the noble Viscount evidently feels it is—a tremendous innovation, and I confess I should have thought it was an innovation which, whatever the technical legal rights of the case may be, ought not to be introduced until Parliament has had full opportunity of discussing the Government scheme in all its completeness. The noble Viscount admitted frankly that there were arguments on the other side, and I should have hoped that he would have listened to those arguments before burning his boats. The noble Viscount dwelt indeed on the advantage of having on the Viceroy's Council a member who knows the country. I should like to ask what country? There are a great many countries in India. If the noble Viscount could discover a native gentleman who knew the whole of the Indian Empire, and could speak authoritatively on behalf of all the different races and creeds concerned, I should say by all means give him a place on the Viceroy's Council. The subject is one of such interest that I have I am afraid, slightly transgressed the limits I had proposed for my own guidance. I will add nothing more except to say—and I am sure the noble Viscount will believe I say it with my whole heart—that it is my desire to support him so far as I can in a judicious extension of the reform of our Indian institutions, and that it is no less my desire—and I am sure it is the desire of those who sit behind me—to do all that we can to support and encourage the Government of India, who have, I venture to think, met a difficult and critical situation with a courage and self-restraint for which they deserve infinite credit.

*LORD MACDONNELL OF SWINFORD: My Lords, I promise not to detain your Lordships very long, but the statement of the noble Viscount the Secretary of State for India is of such a momentous nature that I desire to state very clearly what my own thoughts are with regard to the more salient features of it. I would ask your Lordships to believe that my thoughts are not mere impressions formed while listening to the remarkable speech of the noble Viscount. They are the result of prolonged experience of an executive character in India, and the result also of years of anxious reflection on the problems of Indian government with which the noble Viscount has dealt.

The noble Viscount's remarks seem to me to fall naturally under three heads—first, as they related to the Government of India; next, as they related to the Provincial Governments; and, lastly, as they related to the inhabitants of the various provinces. I wish to say that, broadly speaking, I am in warm sympathy with the policy of the Secretary of State. Although on certain important points I differ, I believe the policy of the Secretary of State to be bold, courageous, and, in the circumstances, statesmanlike and prudent. But I regret to say I completely differ from the noble Viscount's remarks with regard to the Executive Council. The principle which, in my opinion, ought to direct and control our policy in India is this—the maintenance of complete and absolute control in the hands of a small body of picked officers of the Empire who form the Government of India, and, subject to that control, the fullest measure of local government in the provinces that each province is fit to administer. I believe you could not find in India any individual native gentleman, who as enjoying general confidence, would be able to give advice and assistance to the Governor-General in Council. I am certain that if you are to avoid discontentment you cannot appoint a Mahomedan to that Council without also appointing a Hindu. Nor do I think that if you did appoint a native of India and he were not of the politically advanced class against whom the legislation of which we have heard is directed, he would command influence amongst his co-religionists. Therefore, I agree with everything that has fallen from the noble Marquess opposite with regard to the Executive Council of the Viceroy.

I was also extremely glad to learn that the official majority was still to be preserved in the Legislative Council of the Viceroy. If under this new arrangement the councils of the local governments are enlarged and increased functions conferred upon them, the business which will fall upon the Council of the Governor-General will transcend local interests; it will be connected with high Imperial affairs, and with the disposal of those matters on which racial quarrels and religious difficulties arise. Consequently the Council of the Governor General will hold the position of arbiter; and, that being so, as complete authority should be retained by the Governor-General in his Council as in my opinion should be retained by him in his executive authority.

In regard to the local governments, the second division into which I thought the noble Viscount's remarks fell, I am glad to learn that the Executive Councils of Madras and Bombay are to be enlarged. I think the time for doing that has come. I also think the time has come for withdrawing the official majority in the local Legislative Councils. But if an enlargement of the Executive Councils be granted, then the power of the Governor of the Province should be increased so that he in the ultimate result may be able to check any shortcomings on the part of his council which may transpire. In addition to Madras and Bombay, the noble Viscount, as I understood him, said he proposed to give Executive Councils to two Lieutenant-Governorships and subsequently two more. I should like to know to which two Lieutenant-Governorships Councils are to be immediately given. I presume that one will be given to Bengal, as it now exists, and another probably to the United Provinces. The principle which should direct our policy in this respect is to give a larger measure of local government to Provinces as they become fit for it. In my opinion the Lieutenant-Governorship of Bengal, as it at present exists, is not fit for a Council. What does the Lieutenant-Governorship of Bengal consist of now? It consists of two divisions of Bengal proper, which no doubt are, so far as education and material resources are concerned, perhaps the most prominent in India. It also consists of a country which is different in the origin and in the language of its people, different linguistically and ethnically. I refer to the districts of Behar. Then it includes the high lands of Chota Nagpur which are inhabited by aboriginal tribes, and, finally, it includes Orissa, which is and always has been stagnant. To give a council to such a province as that and to place it on an equality with Madras and Bombay is, I think, to court defeat.

But if the wise and statesmanlike proposal of the noble Viscount had been put forward four years ago he would have had no difficulty in finding a province which would have satisfied all his requirements for a new Governorship with an Executive Council. The most advanced and forward province in India, whether you regard it from the point of view of material prosperity or of education, is what is known as Bengal proper. The idea of giving a council to Bengal proper is not a matter of to-day or yesterday, but has been a commonplace of Indian administrative thought for more than half a century. It was earnestly advocated before I went to India; but in the course of events, with the swing of the pendulum as regards official opinion, it came to be considered that the personal rule of the Lieutenant-Governor was better than the rule of a council particularly when the Presidency commands were abolished, reducing the council to three officers, and greatly increasing the risk of the Governor being in a minority. But the noble Viscount's opportunity has been diminished by what is known as the partition of Bengal. I do not know how that matter arose. Nobody seems to know how it did arise. The noble Lord who is reputed to be the author of it, in this House denied its authorship and threw responsibility on two noble Lords who were urgent in denying the soft impeachment. The partition remains now nobody's child, and is productive of much evil. The partition of Bengal, in my opinion—and I speak my mature opinion—is the greatest blunder which has been committed in India since Clive conquered at Plassey. If that partition can be undone, in the larger consideration of Indian administrative situations now under notice, then I think the noble Viscount will have in Bengal a field in which his policy will take root, with as a result the removal of all these difficulties which now confront him. For, in my opinion, these difficulties are nothing more than the outcome of this administrative blunder, which has driven mad the best of the young men in Bengal. I know I speak on an unpopular theme, but I feel very strongly on this matter.

When three years ago I heard of this partition I knew that a mistake had been made; since then I have kept myself absolutely aloof from all agitation, and from all agitators on this matter. But now in your Lordships' House, I do not think I should be doing my duty to this House and to the country if I did not say, with such authority as my experience in India may enable me to command, that this is a blunder, and that if it is not retracted and corrected, the great scheme of reform which has been launched to-night will fail, at all events in Bengal, of the success which it ought to command. It has been said that to go back on a mistake in India is to encourage the enemy. I have had larger administrative experience of India than most men, and speaking as the result of that experience, I say that the correction of a mistake has never been a bad thing for the Government of India or for the people of India. Those, my Lords, are the remarks which I desired to make on this occasion. When the Bill to which the noble Viscount's remarks point, comes before the House we shall be able to discuss its terms; but I did think it my duty, on the earliest opportunity, to say what I have said, and to congratulate the noble Viscount on having produced a scheme which, in my opinion, will be of the utmost benefit to India.

PORT OF LONDON BILL.

Amendments reported (according to order).

The Duke of NORTHUMBERLAND said he understood it would not be convenient to raise his first Amendment because it would exclude any possibility of subsequent Amendments. Therefore, with their Lordships' permission, he would move his second Amendment, the effect of which would be so to alter Clause 1 (Establishment of Port of London Authority) as to increase the number of appointed Members from twelve to fourteen, in order to give one representative each to the Middlesex and Surrey county councils. Only yesterday a strong plea was made for the county councils who had authority on the banks of the River Thames. He pointed out that by an Amendment in Committee the House had granted one representative each to the Kent and Essex County Councils, and emphasised the desirability of making a similar concession to the councils of the two other counties affected by the establishment of the new Port Authority. The county councils of Middlesex and Surrey had quite as good a claim to representation on the Board as the county councils of Kent and Essex. Something happened last night which convinced him that Middlesex had a very strong claim for representation upon this Board. His noble friend

Lord Jersey moved an Amendment to exempt the river between Brentford and Teddington from the operation of the Bill because that part of the river had no mercantile interest at all and was principally used for purposes of recreation. An attempt had been made at Richmond at great expense to secure the amenities of that part of the river for the purposes of recreation, but those amenities had nothing whatever to do with the object of the Port of London Bill. When his noble friend moved that Amendment the noble Lord in charge of the Bill pointed out that this question had never been raised before, that it had been sprung upon the Government, that it would upset the financial arrangements of the measure, and that it was impossible under those circumstances to exempt that part of the river. If it was impossible to exempt a part of the river which had no mercantile interest and had a totally different interest from the rest of the river, surely that was a very strong argument for giving to the councils of the counties adjoining that part of the river some voice in the deliberations of the Board. It was said that the composition of the Port Authority was purely of a commercial character, although he confessed he could not follow the argument that the Admiralty was a mercantile body. The argument was that the new board was not a body such as that which was qualified to alter the upper reaches of the river, which were devoted to the purposes of recreation. It would be a very serious thing if the mercantile proclivities of the Port of London were allowed to affect that part of the river which was now outside, not only their jurisdiction, but also their interests. He ventured to think that it was not a very great demand which these county councils made that they also should be represented on the Board. A great deal was made yesterday of the argument that it was not advisable to make the Board too large. Of course, that was very true, because they all knew that as a rule the larger a body was the less good work it did. But surely it was also true that they should not cut down the size of any body so as to omit altogether the representation of interests which might be keenly affected, and he could not believe that the efficiency of this Board would be seriously affected by having three or four more members upon it. He was justified in saying that the County Council of Middlesex felt very strongly on this point. The Joint Committee refused to hear one single word that council had to say in support of its desire to be represented, and that in itself he thought was a very strong argument for adding their representative to the Board. Those facts justified him in pressing very strongly upon the House the claims of the counties of Surrey and Middlesex for representation.

Amendment moved—

"In page 2, line , after the words 'By the Essex County Council, one' to insert the words 'By the Middlesex County Council, one; by the Surrey County Council, one.'"—(*The Duke of Northumberland.*)

LORD DESBOROUGH proposed, as a consequential Amendment, the addition of a member to represent the Corporation of West Ham.

THE DUKE OF NORTHUMBERLAND: I am sorry to interrupt the noble Lord, but had we not better settle my question first?

THE LORD CHANCELLOR: The Standing Order of the House requires the question to be put from the Chair as soon as it is moved. I think that rather implies that each Amendment should be treated by itself, and I would suggest that that is the best course to adopt.

LORD HAMILTON OF DALZELL said that his prophecy of the preceding day that a certain cause would have a certain result had been rapidly fulfilled. There was a certain amount of satisfaction in being able to say "I told you so," and he said it now. What the Government and the Joint Committee had feared had happened. The door had been opened to further municipal representation on this body, and the rush for representation had already commenced, headed by the noble Duke and by the noble Lord who had been momentarily staved off. He did not know where that rush was going to cease. Yesterday he opposed the inclusion of Kent and Essex, and to-day he must as strongly oppose the inclusion of these further municipal bodies. If this Amendment, and the further Amendment of which they had had an indication, passed, the number of appointed representatives on the authority would be fifteen, while the number of elected representatives remained at eighteen. The whole character of the body would be altered, and altered for the worse. If this undertaking were to be carried on, as was contemplated in the former Bill, by municipal capital, such representation would be right, but that was not the case. The capital embarked in the docks was private capital, and even under this Bill the shareholders would hold Port stock instead of shares of the dock company. It would be private capital, and if this Amendment were passed a great deal of the security given to the shareholders on which the bargain had been concluded would be taken away. The idea of the Board of Trade and the Joint Committee was that the Port should be managed by business men in a business-like way, and by business men carrying on their business in the Port. If their Lordships chose to alter the constitution of the body and if it did not prove successful in its management of the Port the fault would not lie with the Board of Trade or the Joint Committee.

THE EARL OF JERSEY said that the prophecy of the noble Lord had come true simply because of the desire of the local authorities to have some control over the stretch of river that ran through their respective counties. That was the reason why Middlesex desired to be represented upon the authority which would govern a large portion of the river which ran through the county of Middlesex. Middlesex had a stretch of seven miles from Brentford downwards which was full of wharves and docks of various kinds, and for all that they had not a single representative upon the Port Authority. Therefore, it was not unnatural that the county council should desire to be represented, having such large interests at stake. He hoped the noble Duke would press this question. The Middlesex County Council were very strong upon this point, and he did not think the security of those who invested their money in the Port of London would be in the least invalidated by the fact that all the authorities who had an interest in the success of the Port were represented.

*VISCOUNT ST. ALDWYN: I think there is a difference between this Amendment and that which was carried by your Lordships yesterday. If Essex and Kent are not directly represented from their county councils on the board they will have no representation at all, although their interests on both banks of the Thames below London are very considerable. On the other hand, Middlesex and Surrey will be represented through the London County Council which comprises a very considerable part of their areas. I feel that this Amendment cannot be supported on the same grounds as that of yesterday. There is some force in what the noble Lord says, that it will be very difficult to know where to stop. If this is carried there will be an application from the borough of West Ham, and it is possible that the borough of Richmond may require representation. The whole balance of interests will be upset, and instead of the authority being a commercial body, its majority will be merely the representation of local authorities. I hope that the noble Duke will not press the Amendment.

On question, Amendment negatived.

LORD DESBOROUGH said that after that result he would not press his Amendment, but would impress on the House that if any more representatives were added to the Port Authority West Ham had a very strong claim. West Ham was a most populous district containing 300,000 inhabitants, and it contained two of the most important docks on the river. A large proportion of the population was engaged in working at the docks and wharves, and those facts entitled West Ham to some consideration.

LORD HAMILTON OF DALZELL moved an Amendment—

"In page 5, line 29, to leave out from the beginning of the line to the word 'make' in line 39, and to insert the words 'The Board of

Trade may on the application of the Port Authority.' "—(*Lord Hamilton of Dalzell.*)

to remove a certain amount of ambiguity from the clause. He said that the Amendment was agreed to between the Board of Trade and the noble Marquess. The words he proposed made the meaning of the clause perfectly clear, and took out a number of redundant words.

On Question, Amendment agreed to.

LORD HAMILTON OF DALZELL moved a further Amendment—

"In page 5, line 9, after the word 'constructed' to insert the words 'in pursuance of an order under this section."—(*Lord Hamilton of Dalzell.*)

Also at the suggestion of the noble Marquess opposite. Its object was to make the meaning of the clause more clear, although it did not materially alter the substance of the clause.

On Question, Amendment agreed to.

LORD HAMILTON OF DALZELL said the next Amendment he had to move carried out an undertaking which he gave to the noble Lord opposite having regard to the preservation of commons and open spaces. The words he now moved had been accepted by the noble Lord.

Amendment moved—

"In page 5, line 31, after the word 'requisite,' to insert the words '(*c*) Nothing in this section shall, without the consent of the Board of Agriculture and Fisheries, authorise the acquisition of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground.' "—(*Lord Hamilton of Dalzell.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

"In line 39, after the word 'person,' to insert the words 'not in the employment of any Government Department.' "—(*Lord Hamilton of Dalzell.*)

On Question, Amendment agreed to.

Then Standing Order No. XXXIX. considered (according to order) and dispensed with. Bill read 3ª with the Amendments, and passed, and returned to the Commons.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

House in Committee (according to order.)

[The Earl of ONSLOW in the Chair.]

Clause 1:

THE EARL OF DUNRAVEN moved to insert a provision that: "Where a majority of the workmen employed decide by a ballot that a period for rest or meals shall be provided during any shift, the time of absence from the surface prescribed by this Act shall be increased by the duration of such period." He thought that this Amendment was necessary to carry out the real object and intention of this Bill. If a man desired to work up to the full eight hours laid down by this Bill and earn as much as he could during the statutory time, he could not do that and at the same time get anything to eat during that period. He did not think it was the object of the Government to deprive these miners of an opportunity for obtaining meals and rest. As the Bill stood the miners must either go without food for the period of eight hours or else take their food within the eight hours whilst at work.

*THE EARL OF CRAWFORD hoped the Government would be able to accede to this Amendment. By the terms of the Mines Regulation Acts, all boys on the pit brow were entitled to half an hour for dinner.

Amendment moved—

"In page 1, line 8, to insert the words 'where a majority of the workmen employed decide by a ballot that a period for rest or meals shall be provided during any shift, the time of absence from the surface prescribed by this Act shall be increased by the duration of such period."—(*The Earl of Dunraven.*)

THE LORD STEWARD (Earl BEAUCHAMP): I am afraid the precise effect of this Amendment has not been correctly understood. I may point out to your Lordships that it would allow the workmen to have a period for rest or meals provided during the shift, and under those circumstances, as your Lordships will see, that period of time would be excluded in the computation of the period during which the miners are actually working. An Amendment much to the same effect was moved in another place, and it was defeated by twenty-five votes to ten. The argument which I think will appeal most to your Lordships is that the workmen do not themselves make this request, and from the very nature of the hewers' work it is apparent that the rest and meals have to be taken at irregular intervals whilst they are waiting for the tubs. I think it will be obvious that this proposal would cause a very serious dislocation of work underground, and I hope the Amendment will not be carried in the form which the noble Earl suggests. The practical result of the Amendment would be that it would allow workmen by ballot to increase the time spent below ground, and instead of making a six or eight hours day there is no reason why they should not make a nine hours day, or even a longer period.

*THE EARL OF CRAWFORD said it was the practice during the windings of coal to have a temporary cessation of work in order to allow the men to get their food. That was of enormous importance to the safety of the men, because during that interval the whole gear was examined and the lifting machinery inspected. He thought that was another argument in favour of this Amendment.

THE EARL OF DUNRAVEN said that the noble Earl, Lord Beauchamp, was right in his statement that if they added the time for rest or meals to the shift they might make the time below ground eight hours twenty minutes. He wished, however, to point out that under this Bill, arguing on the same lines, they were making the time at work underground only seven hours forty minutes and not eight hours per day. Under the circumstances, however, he would ask leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

*VISCOUNT ST. ALDWYN, in moving to amend the clause by omitting from subsection (*a*) the words "During the five years after the commencement of this Act," said this is one of a series of Amendments necessary in order to carry out an alteration in the Bill which was alluded to more than once in the debate on the Second Reading. As the Bill now stands there are three transition periods during which it is to come into operation. In the first place, there will be a period of six or twelve months as the case may be, during which the collieries are to prepare for the working of the Bill. Then there is to be a period of five years during which the Bill is to come into force to this extent, that there is to be an eight hours day and both windings up and down are to be excluded from those eight hours. After a period of five years one of those windings is to be included in those eight hours, so that there will be a total period of half an hour less than during the first five years of the operation of the Bill. I must say that so far as I can gather from the expressions of Ministers on this subject, or from the Reports of the Departmental Committee, if there is any belief in the minds of those responsible for this Bill that its effect will not be injurious to the rest of the community, and also to the miners and owners of coal, that belief does not go further than this, that the proposal for the first period, namely, the eight hours, excluding both windings, might be safely adopted. I find with regard to that proposal an expression of opinion from a high authority who declared that it was not possible to forecast precisely the amount of disturbance that might occur in the working of a mine when the Bill came into operation, or the precise increase in the cost of production. He went on to say that in Durham and Northumberland that something like complete reorganisation in most of the mines would be necessitated, and that in South Wales and Lancashire inconvenience would arise and that the transition might involve some rise in the price of coal. That is what the Home Secretary said in the debate on the Third Reading in the House of Commons with reference to the first term when both windings would be excluded. Mr. Russell Rea, who is a high authority on this matter, said he could not regard the extremely drastic step which was to be taken next July without some degree of anxiety and apprehension. I must say that this seems to me to show anxiety with regard to the working even of the first five years under this Bill, and I do not think it will be denied that even that change will materially interfere with the coal-mining industry. In Scotland, Yorkshire and the Midlands, I believe that, generally speaking, so far as I can gather from the Report of the Departmental Committee, an eight hours day with both windings excluded would not materially interfere with the present system of working, but the same Committee say that the hours worked by hewers in West Lancashire, instead of being eight hours exclusive of both windings, are now nine and a half hours, and that other workmen work for as much as ten and a half hours per day, whilst in the Cardiff Steam Coal Mines the hewers and day men work ten and a half hours per day. It is clear that in West Lancashire and South Wales, to say nothing of Durham and Northumberland, the effect of the proposal in this Bill, if it merely amounted to an eight-hours day exclusive of both windings, would be a serious change. At any rate it is clear that for practically six years to come all that His Majesty's Government, as the authors of this Bill, think can be safely done in the way of bringing an eight-hour day into operation is to enact the hours proposed for the first period, namely, an eight hours day excluding both windings. Turning to the question of safety, surely nobody can contend that the inclusion of a winding within the eight hours term would be otherwise than dangerous to the workmen concerned. There would be every temptation where an employer or his workmen desired to evade the operation of the restricted period of eight hours to hurry the winding, and serious accidents might occur owing to the inclusion of a winding within the eight hours. That being so, what do the Government tell us with regard to the possibilities of the future which would justify this change at the end of a period of five years? They tell us that they think there may be certain elements in the present system of working mines which do not bring out to the full extent their productive power. They suggest—and I do not doubt there may be something in it—that if men work shorter hours they would work more efficiently. They suggest also that there might be time saved if there was less loss by stoppage of the mines or absenteeism, and the Committee quote in support of that contention the fact that in Lancashire, where the longest hours are worked, there is a double percentage of absenteeism as compared with the rest of the United Kingdom. Whatever can be done towards minimising the effect of the Bill in this way will be required to make an eight hours day, with both windings excluded, a change which will not seriously diminish output. What His Majesty's Government really seem to rely upon with regard to the possibility of extending an eight hours day beyond that is some great change in the working of the mine due to the importation of new forms of coal-cutting machinery. That, however, is a purely imaginative view. It may be right or it may be wrong. Nobody can possibly foresee what changes will be made within the next five years. As was well said in the House of Commons in regard to what is to happen five years hence His Majesty's Government, like the miners, are absolutely working in the dark. That being so, why cannot they limit the Bill to what they believe can safely be done now, namely, to an eight hours day excluding both windings? If no harm results from the adoption of that practice in the mines, at the end of five years those interested can come to Parliament and ask that more stringent provisions should be enacted. If, on the other hand, as many fear will be the case, some serious injury may occur, Parliament can deal with the subject according to the experience gained. I can conceive but one objection to the exclusion from this Bill of legislation for an unknown future, which is utterly beyond the proper scope of the duties of Parliament. That is the argument suggested by the Secretary for the Colonies on the Second Reading of this Bill, in which he said that the Bill was shaped in the way in which it now stands to bring about what was believed to be a final settlement of the question, and that if an eight hours day including one winding, was not included in the Bill as the final result, the miners' agitation would continue. There would be uncertainty as to the future prospect of the trade; and everybody knows that uncertainty is one of the worst things for the prosperity of a trade. That was the noble Lord's argument, and I think it was the only argument he used in favour of this proposal. I am inclined to think that the trade do not share that view. So far as I know, and judging from the fact that my noble friend Lord Newton has also put this Amendment on the Paper, it may be concluded that the trade do not wish to go further than the Bill proposes for the first five years, and they desire the Bill should stop there. But whatever the view of the trade may be, we have to consider something much more important, and that is the interest of the consumer. In the interest of the consumer I do not think we have any right whatever to legislate for a future which we cannot foresee, and, therefore, we ought not now to enact that a further change should be made at the end of five years. For these reasons I beg to move the Amendment which stands in my name on the Paper.

Amendment proposed—

"In page 1, lines 12 and 13, to leave out the words 'During the five years after the commencement of this Act.'"—(*Viscount St. Aldwyn.*)

Lord KNARESBOROUGH said he would not repeat what he had stated on the last occasion on this question. He wished, however, to point out that if they employed several Hercules or Samsons to hew coal, and they were able to get three times as much as the present miners were doing, it would not be the slightest use, because they could not get more coal out of the pit. The difficulty at the present time was to move away the coal after it had been got by the hewers. Collieries had been laid out for the production of coal during a certain number of hours through a shaft of a certain diameter, and they had constructed and laid out a certain class of ways or tunnels to support which a certain amount of coal was left. Where the amount of coal left was not sufficient, they had to build up and support the ways with masonry. The rest of the coal was worked out: the roof then crushed down, and they could not make any new ways through a lot of broken stone and roof. If the public liked to pay a couple of pounds a ton for coal, they could do anything with the assistance of engineers, but they could not make new ways in their present collieries except at enormous expense. Production at collieries went on now for nine hours forty minutes per day, during which the coal flowed out of the pit. If they reduced that period to eight hours, they would cause a very serious reduction in the output of coal. Under this Bill it would be impossible for certain collieries to work except at a considerable loss unless they put on two shifts instead of one. It was very distasteful to the colliers themselves to have to work in two shifts. It also meant a very great increased expense, and in a case he had in mind, they would require 378 extra men for the extra shift. Having gone to all the expense of an extra shift, at the end of five years they were to be mulcted of twenty minutes per day of their outflow of coal. At the end of that period the hewers would be working in two shifts, half of them in one shift, half in another, so they would be hewing no more coal than they do now: if you cut off twenty minutes or half an hour from their hewing time you must curtail the output or employ more men to do the same amount of work.

Earl BEAUCHAMP: I think your Lordships will realise the great importance of the Amendment which has been moved by the noble Viscount, Lord St. Aldwyn, and I think the House will hardly expect that the Government will be able to agree to the passing of this Amendment, at any rate without putting your Lordships to the trouble of a division. The effect of the Amendment, if it is agreed to by your Lordships, will be to make a temporary expedient proposed by His Majesty's Government to meet the convenience of colliery management into a permanent condition of affairs. I explained to your Lordships on the Second Reading of the Bill the whole idea of this preliminary period, and I stated how it was intended to meet the convenience of the various interests concerned in the collieries. It was represented that the Bill as originally framed, involved the risk of certain economic disturbances, and it was also alleged that there was a possibility of certain temporary risks to the safety of those engaged in the mines. It was also asserted that there was some danger which might arise by hurrying the process of winding, in consequence of which the lives of the men would not be so safe as they are at the present time. It was in order to meet those representations and prevent those risks that His Majesty's Government decided to introduce this preliminary period, and the idea was that it would obviate both the danger of economic disturbance and also the danger to the safety of the people employed in the mines. I think it is generally admitted that any inconvenience which might possibly be effected by the Bill, would be caused, not at the end of the period of five years named in this Bill, but would come now. Any danger would probably be over and passed long before the expiration of the period of five years. It is clear, however, that both these matters I have mentioned would be obviated by this period of five years. What I wish to point out to your Lordships is that at the end of this period of five years, there would not be the possibility of such an interference with the economic condition of affairs or with safety as is possible at the time when the Bill becomes law. I was very glad to notice what was said by the noble Viscount opposite this afternoon and on the Second Reading to the effect that they would not be averse to considering this question again after five years have elapsed if it was found no hardship had been inflicted either upon colliery owners or consumers throughout the country. [Cries of "No."] I think that statement was, at any rate, made by the Leader of the Opposition, and what has been said on this point certainly justifies me in asking noble Lords opposite whether, supposing the results which we anticipate from this Bill really occur—and the miners come forward again at the end of a period of five years, to ask this House to re-insert what it is now proposed to strike out—they will afford every possible facility for such a proposal becoming the law of the country. Of course, I hardly expect to get an answer to that question now. The real object of this Amendment is to turn this Eight Hours Bill into a measure which will establish an eight and a half hours day. [Cries of "No."] That shows how far this Amendment strikes at the root of the Bill, and I am afraid this fact will make it necessary for the Government to ask your Lordships to divide upon this Amendment if the noble Viscount presses the matter to a division.

THE MARQUESS OF LONDONDERRY hoped his noble friend would press the matter to a division. He had listened attentively to the speeches which had been made in this House, and he had read the speeches made in the House of Commons on this question, and he had no hesitation in saying that no answer had been given by the noble Lord who had just sat down to the arguments put forward by the noble Viscount. The reason for the exclusion of one of the windings was said to be for the purpose of securing safety and to prevent hurrying up. If that danger existed now why would it not exist in five years' time? He thought this measure would create a very great revolution in the coal trade, most certainly in that part of the country with which he was connected. Not only that, but if they were unable to settle down under this new system in the counties of Durham and Northumberland there would be another revolution in five years, when they altered the system by introducing one of the windings inside the eight hours. To those with any experience of coal mines there could be no doubt that this would add very materially to the danger of the men coming up and down by causing hurrying up. There was another danger to which he wished to draw the attention of their Lordships, and it was that in the course of five years time if the pitmen who were paid by the piece came under the new system they would naturally have far greater anxiety to send up the shafts quickly the coal for which they were paid, and which they turned out below but which had no value at all until it got to the top, than they would in getting up themselves. Therefore the speeding up in endeavouring to give more time to the winding would increase the risk considerably. What were the expectations of the Home Secretary with regard to improvements and discoveries within the next five years which he thought would make the inclusion of one of the windings in the hours safer than at the present time. All he could say was that the Home Secretary seemed exceedingly ignorant with regard to the cost of sinking shafts. He did not think anybody in their senses would think it wise to sink a great deal of capital in anything in this country at the present time. He should be very glad to hear what were the improvements and discoveries which the Home Secretary expected to find during the next five years. It was evident that they would have another revolution in five years' time, and if this Amendment were accepted that difficulty would be overcome.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): I need add very little to what has been said by my noble friend behind me. I quite admit that there is something to be said on both sides upon this question, and there are arguments to be used both ways. There is undoubtedly some force in the contention that it is better not to admit a winding into the time at all. That I do not deny. Perhaps I may be allowed to repeat the argument which the noble Viscount used which was a very fair description of what I said upon the last occasion. The noble Marquess, Lord Londonderry, says he desires to avoid a revolution, and that as this Bill will cause one revolution at once he wishes to avoid another revolution at the end of five years. The question whether there will be another revolution on this matter within five years or within any number of years does not depend upon the Government, and does not depend upon what we put into this Bill. If noble Lords are right in thinking that miners will be satisfied with this day of eight and a half hours which was so clearly described by my noble friend behind me, then the question will fall to the ground and everybody will be satisfied. But does it not occur to your Lordships that this argument of danger, which has been put forward so strongly, might equally well be met by an agitation for a seven and a half hours day, excluding both windings? If any agitation of that kind, which I for one do not wish to encourage, should be started, you cannot prevent the trade being subjected to another revolution, supposing it should be found necessary to grant that demand.

THE MARQUESS OF LONDONDERRY hoped the noble Lord had not misunderstood what he said. He meant, of course, a revolution of the system of working in the counties of Durham and Northumberland at the present time.

*THE EARL OF CREWE: Of course, I did not believe the noble Marquess meant a revolution in the whole foundation of society, or that anything of that kind was going to be brought about by this measure in whatever form it was passed. I quite understood that he meant a revolution in the coal trade. What I desire to point out is that either people will be satisfied with eight and a half hours per day, or they will not be satisfied, and what we put into the Bill as regards the winding will not affect that point one way or the other.

On Question, "That the words proposed to be left out stand part of the clause,"

Their Lordships divided:—Contents, 27; Not-Contents, 136.

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Consequential Amendment agreed to.

*LORD BELHAVEN AND STENTON moved to leave out the words "through unforeseen circumstances." This Amendment he proposed in the interests of coal-cutting machinery. He did not think, however, he should be able to make his point clear unless he gave to their Lordships a short description of how coal-cutting machinery was used. They commenced to cut along the face of the coal for about 100 yards in length, terminating in one of the roads by which the coal was conveyed to the shaft. After the batch of men with the coal-cutter had proceeded a certain distance the men attached to the conveyer went down. Their business was to move the conveyer from the position which it held on the previous night close to the face under-cut by the coal-cutting machine, and they had to remove the props close up to the face. After that came the hewers, and they cut the face of the coal which had been under-cut by the coal-cutter, and they had to put it on the conveyer by which it was drawn to the trucks. Now, if any of those three different squads of men were delayed by any accident or any breakdown of machinery or by any fall of roof, or any other cause, they must remain to complete their own particular job before the other party could go over the same ground. It therefore followed that if the coal-cutter broke down, the men were not able to do their work within the time allowed. If, for any reason, the conveyer could not be put into its proper place the miners could not use it to fill in the coal, and it was for these reasons that the Departmental Committee said in the case of coal-cutters it was absolutely necessary that some elasticity of working hours should be allowed. That was his argument for giving more elasticity to each of those squads. It might be said that the words put into the subsection were sufficient. Those various occurrences by which a number of men might be delayed from coming out at the end of eight hours would occur very frequently. They might occur in one part of the pit one day, and in another part another day, and the men might still have to finish up their work flush when the eight hours had elapsed. He asked, therefore, that these words might be omitted.

Amendment moved—

"In page 2, line 4, to leave out the words 'through unforeseen circumstances.'"—(*Lord Belhaven and Stenton.*)

Earl BEAUCHAMP: I am sorry we cannot accept this Amendment, but I think I shall be able to satisfy the noble Lord on the points he has raised. His proposals are mainly concerned with coal-cutting machinery. What I wish to point out is that if anything goes wrong with the coal-cutting machinery, obviously it is an unforeseen circumstance. That will also apply to other occurrences by which gangs are stopped doing work because the machinery has broken down. All those things would come in under "unforeseen circumstances," and I think the noble Lord may be perfectly satisfied so far as that point is concerned. I desire to remind the noble Lord that his Amendment goes a great deal further than the circumstances which he contemplates. If these words were omitted the subsection as it would then remain would be very vague in its terms. I hope I have satisfied the noble Lord so far as the machinery is concerned, which was the only point he dealt with; that really is already provided for by the actual terms of the Bill, and the words already provided will not cause any difficulty in the working of the mine.

*Lord BELHAVEN AND STENTON said it was not only the machinery, but also the extra hardness of the face of the coal which might cause the hewers to be delayed in their work. They might have to remain to cut the face of the coal perfectly square, although there might be no accident at all to the machinery. He would not, however, press his Amendment under the circumstances, and he asked leave to withdraw it.

Amendment, by leave, withdrawn.

*Lord BELHAVEN AND STENTON said the same arguments he had used applied equally to the Amendment which he now moved to leave out the word "serious," and substitute the word "substantial." He wished to have this consideration, at any rate, allowed to the men remaining longer in the mine from these causes. He begged to move.

Amendment moved—

"In page 2, line 5, to leave out the word 'serious,' and to insert the word 'substantial.'"—(*Lord Belhaven and Stenton.*)

Earl BEAUCHAMP: I am sorry I cannot accept this Amendment, and I may say that I do not think it meets the point which the noble Lord desires to meet. In view of the drafting of this clause it is thought that the word "serious" is necessary, and, therefore, we cannot accept the change proposed.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clauses 2 and 3 agreed to.

Clause 4:

THE EARL OF CRAWFORD hoped the noble Lord would consider an Amendment which he had handed in with a view to its acceptance on Report. He quite appreciated that His Majesty's Government was desirous of playing the game and affording fair play to both sides. They had already materially protected the consumer and he asked that in justice only certain protection should be given to the producers of coal. Noble Lords were aware that there were very many old pits in this country which would be placed in very serious straits by the operation of this Bill, and would in all probability have to be done away with and closed. It meant not only closing those pits, but moving the men who worked there from places in which they had been accustomed to live for a great many years.

THE LORD CHAIRMAN: I wish to draw the attention of the House to the fact that the noble Lord has not moved his Amendment, and that he suggests it should be moved on Report. In that case it is somewhat inconvenient that we should hear the arguments for an Amendment which is not before the House.

THE EARL OF CRAWFORD said the Amendment which he wished to move was to insert after the word "time" the words "or in the case of any individual pit or mine which, owing to the provisions of this Act may be found to be no longer workable at a profit, and if that in consequence public notice has been given that the pit or mine will be closed."

EARL BEAUCHAMP: I have only just had an opportunity of looking at this Amendment and from a cursory inspection of it I must warn the noble Lord that I think it is quite certain that the Government will not be able to accept his proposal on the Report stage.

*VISCOUNT ST. ALDWYN: I think the point which has been raised by my noble friend is one of very great importance. I have in my hand a Report of the Departmental Committee, and I do not apologise to your Lordships for quoting from it because everybody must admit that the Departmental Committee made a most exhaustive and careful inquiry, and were by no means prejudiced against this Bill. Therefore the conclusions the Committee arrived at must be taken with very great respect. One unanimous conclusion they came to was that when a special statutory protection is afforded to the workers in a special trade it may be considered advisable in this country, as it has been considered advisable in all other countries which have enacted such legislation, to reserve in the hands of the Government certain powers of suspension and exceptions in the public interest. Already His Majesty's Government have followed that recommendation in Clause 4, so far as war is concerned, and any great emergency. Clause 4 says—

> "His Majesty may, in the event of war or of imminent national danger or great emergency, or in the event of any great economic disturbance due to the demand for coal exceeding the supply—"

take power to suspend entirely the operations of this Act. The Government, however, have not touched the point of exceptions to the operation of the Act. I will quote further from the Report of the Committee which shows in what cases exceptions might arise, and they are precisely the cases which the noble Lord near me had in his mind when he addressed your Lordships. The Committee say that in certain classes of mines, such as house coal mines in the Forest of Dean, and in thick seam mines like those in South Staffordshire, the difficulty of adapting the work to the hours will be such that it may be necessary to have special regulations. I notice there is something in the Bill relating to South Staffordshire, but there is nothing relating to the Forest of Dean. Now what did the Committee say on this point? They say that the district of the Forest of Dean presents a case of peculiar difficulties; that the majority of the men work in mines getting house coal, that the mines are rapidly becoming exhausted, and the representatives of the owners of house coal collieries state that this Bill will prove fatal to the existence of those undertakings. The mining agent of the district takes the same view, and the Committee further state that the miners of the Forest of Dean are almost without exception natives of the district, and receive no recruits from outside districts; also that

40 per cent. of them own their own dwellings. Let the House consider the result if those collieries are closed. These men in the Forest of Dean district are largely freeholders owning their own houses, and consequently will be unable to leave them without serious loss. All these little collieries might be closed if this Bill became law. The Committee in their Report state that in other countries where similar provisions have been enacted care has been taken to meet such a case as this, and they refer to France, Austria, and the Netherlands. In France, exemption from the law may be afforded to poor mines where the application of the law might compromise the working of the mines and lead to the risk of depriving of employment certain populations living entirely by the working of those mines. The Report further states that those exemptions have given rise to no reasonable complaint. I wish to ask the Government seriously to consider this point. In case of grave economic disturbance, or in the event of war, the Government take power to suspend the operation of this Bill altogether, and why cannot they take power to vary the operation of the Bill in the case I have alluded to, where a whole population in a given district might be deprived practically of employment if the mines were closed, and the Government could not interfere to prevent it, although satisfied that the mines would be closed by the operation of this Bill? I am not asking for this concession upon any other conditions, but I think the Government are incurring a grave responsibility by not taking power to meet such a state of things as that. I have prepared some words by way of an addendum, and I move them now, as follows: "His Majesty may, by Order in Council, vary the application of this Act to mines, or to any class of mines in a particular district to such an extent and for such a period as may be necessary to prevent a loss of employment to the population residing in that district by the closing of the mines in consequence of the operation of this Act." I hope the Government will give some consideration to those words, and if they do not I think a very heavy responsibility will rest on their shoulders.

Amendment moved—

"In page 4, line 37, at the end, to add the words, 'His Majesty may, by Order in Council, vary the application of this Act to mines or to any class of mines in a particular district to such an extent and for such a period as may be necessary to prevent loss of employment to the population residing in that district by the closing of the mines in consequence of the operation of this Act.'"—(*Viscount St. Aldwyn*).

Lord AVEBURY said the coal of this country was a national asset, and one which was being very rapidly reduced in quantity. It was clear from what the noble Viscount has just stated that there were coal mines which could not possibly be worked unless they had some such proviso as that which had just been proposed. The Bill would deprive the country of that portion of its mineral wealth and that seemed to him a strong argument in support of what the noble Viscount had just suggested.

Earl BEAUCHAMP: I am afraid the Government cannot accept this Amendment, and I hope the noble Viscount, when he has heard my reasons, will not press his Amendment. It might make a considerable distinction in various districts, and it would allow the Home Secretary to make a difference between one mine and another and one district and another. I think it is quite obvious that no distinction should be made, because the whole principle of this Bill is that we should establish a national system. It is clear that those coalowners in whose favour no exception was made would clearly have a ground of complaint.

Lord NEWTON: What about Durham and Northumberland?

Earl BEAUCHAMP: The principle of this Bill is that the hours of labour in mines should be the same ultimately throughout the country. We desire that there shall be a national system and not any variation between one part of the country and another. That system would break down if this Amendment were accepted. An Amendment was moved in the House of Commons to exempt a certain colliery which has been mentioned by the noble Viscount, but it was negatived without a division;

I ask your Lordships to notice that Clause 3 provides for one hour's overtime on sixty days in the year, and that was inserted to meet the season's demand and with the object of mitigating the operation of the Act in such collieries as those mentioned by the noble Viscount. May I point to another effect of this Amendment? It has been said that His Majesty may vary the application of this Act, but supposing we had a Home Secretary who varied the operation of the Act in the direction of making the hours of working mines six hours per day. There would be nothing in the Amendment to prevent it working in a different direction from that which the noble Viscount desired, and I am sure he would be one of the first to make it impossible for the Secretary of State to do any such thing as that. That, however, is quite possible under the Amendment suggested by the noble Viscount, and it is quite obvious it goes a great deal further than he intended. Under these circumstances I hope your Lordships will not add these words to Clause 4, and I trust the noble Viscount will not press his Amendment to a division.

*Viscount ST. ALDWYN: I admit that the words may have the interpretation which the noble Lord has put upon them, and it is not my intention that they should bear that interpretation. I am only sorry that the time at our disposal did not permit me to consider the words more carefully. The Government have already taken power to suspend entirely the operation of the Act. Must that suspension apply to the whole country? No, because Clause 4 gives power to suspend the operation of the Act—

> "To such extent and for such period as may be named in the order, either as respects all coal mines or any class of coal mines."

All I wish is that the Government should have power to vary the application of the Act in such manner as might make it adaptable to some of the specially situated coal districts. The Forest of Dean is not the only district to which special circumstances apply. There are other districts, like those in Lancashire. I was anxious to call the attention of your Lordships to the matter and more especially the attention of the Government, and if the Government are prepared to accept the responsibility by refusing to take power to vary the operation of the Act in such a way as might prevent the closing of mines and the loss of employment by the whole of the population in certain districts, then I must leave the responsibility on the shoulders of the Government.

*The Earl of CREWE: I admit this subject is one of some difficulty. It is very singular after the many complaints we have heard from noble Lords of giving the power of dealing with private interests to public departments to find now that the noble Viscount is moving an Amendment which will give the Home Secretary or the Government practically the power of favouring one coal business in one part of the country as against another business.

Viscount St. ALDWYN: But you can do it now under the Bill.

*The Earl of CREWE: The wording of the Bill on that point is pretty clear. The words are—

> "His Majesty may, in the event of war, or of imminent national danger

The whole thing in such an event would be done under the eye of the public, but this Amendment would enable a preference to be exercised in favour of a particular colliery or collieries on the strength of their statement that they were doing badly or that they could not make their business pay. It seems to me to be a very unusual course to attempt to hand over a power like this to the Government of the day. Although I think it is impossible to deny that the incidence of the Bill cannot be entirely even, it is impossible to redress any such inequality in the way suggested by the noble Viscount.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 5 agreed to.

Earl BEAUCHAMP: There are a number of Amendments down to Clause 6, and I may say that a consultation has taken place with regard to those Amendments, and an arrangement has been come to satisfactory to both sides of the House. The way in which we propose to proceed is to divide Clause 6 into two parts, and insert a new clause after Clause 5. Certain Amendments are to be made to Clause 6, which, as I say, have been agreed upon by representatives of both sides of your Lordships House. Under these circumstances I think it would be convenient if I were to read the new clause we propose.

THE MARQUESS OF LONDONDERRY said he knew the owner had to do what the noble Earl said with regard to regulations affecting safety. Did he understand that at the present moment there was not placed on the owner the unpleasant duty of having to enforce those regulations? Were they to be free from that responsibility?

VISCOUNT ST. ALDWYN: I hope we shall have this Bill in print to-morrow morning before the Report stage.

EARL BEAUCHAMP: That wish shall be conveyed to the printers, but at this period of the session they seem to be even slower than at other times.

LORD NEWTON said that, perhaps it would be more convenient if he did not move his Amendment under these circumstances. His object was to protect the owner from an unjust provision which would put him to the trouble of sending people to search for men who might be infringing the Act. It was probable that when the Bill came into operation it would be found that a good many men would infringe the regulations. As the Bill was brought in in opposition to the wishes of the owner and in the interests of the men, it was distinctly unfair that the owner should be penalised for any offence on the part of a man which he would have the greatest difficulty in preventing.

Clause, as amended, agreed to.

Clause 7:

LORD NEWTON moved to leave out the words postponing the application of the Act for an extra six months as regards mines in the counties of Durham and Northumberland. He wished to point out that he did not move this as a wrecking Amendment. He recognised that the principle of the Bill had been adopted, but he did not wish to be charged subsequently with having wrecked the Bill on a side issue. The counties of Durham and Northumberland had been exempted for six months from the operation of the Bill, and he could not help thinking that there were suspicious circumstances in connection with the matter. He suspected that some bargain not necessarily corrupt had been arrived at between the Members for Durham and Northumberland and His Majesty's Government. [Cries of "Oh, oh!"] At any rate it occurred to him that some arrangement which was not quite clear to his mind had been arrived at between these two parties, and he did not mean anything offensive. In former years the chief opposition to this principle came from the Durham and Northumberland miners, and now the position had been assumed that the miners of Durham and Northumberland were such superior individuals that a Bill of this kind ought not to be made to apply to them. That might be true. The miners of Durham and Northumberland had had very high testimonials paid to them by the Marquess of Londonderry and by Lord Durham. Notwithstanding he was not disposed to admit that they were so extremely superior to all the rest of the miners of this country. They were always held up to admiration as men who had managed by their cleverness to establish an extremely short system of working hours. What did this system upon which the miners of Northumberland and Durham prided themselves so much amount to? Simply that in order that the men might work shorter hours the boys were made to work longer hours. That might be evidence of the extremely practical nature of the Durham miner, but for his part he did not see any moral beauty about it. These two counties were being exempted from the operation of the Bill, and the excuse put forward was that those two counties were more difficult to deal with. Possibly in a political sense they were more difficult to deal with, because they had returned an unbroken phalanx of supporters of the Government, but it was quite clear that the actual economic difficulties were much less than in the case of some other districts. The report of the Committee stated in dealing with this subject that the effect on production of the limitation of hours to eight in the collieries of Northumberland and Durham presented some difficulties, but they did not appear to the Committee to present the same difficulties as the districts in which the working day was much in excess of eight hours for all classes of workers. That was a self-evident proposition. It seemed to him that a change of this kind would be much less of a danger where the hours were already shorter than it would be in districts such as South Wales or Lancashire where the hours were longer. He had no doubt it would cause inconvenience. It would be extremely inconvenient to the hewers of coal who had been in the habit of working seven hours to be obliged to work for a longer period, but that was the penalty which they paid for joining the Federation. Having joined the Federation they ought to be placed in the same position as everybody else, and it was distinctly unfair on the other localities that these two counties should be exempted from the operation of the Bill. They were always being told that the Bill had been prompted by humanitarian motives. If that were so, if humanity was their real object, surely the case of the unfortunate boys working longer hours than the men was one deserving of sympathy. There were thousands of men working nine and a half and ten hours a day in many parts of the country, and it was perfectly clear that when the Bill came into operation there would be considerable difficulties to face with regard to the question of wages alone. There would be the difficulty, for instance, of paying the men who had been working for ten hours a day and were now going to work eight hours, because they would expect the same rate of payment, and that must cause a serious difficulty. It seemed to him that, having recognised the principle of the measure, having committed themselves to an eight-hours day, it was the business of everybody to see that as little disturbance and dislocation as possible was caused by the operation of the Bill. They were told that the people in Durham and Northumberland were so peculiarly circumstanced that a whole year was necessary for them to accommodate themselves to the new conditions. If a year was necessary in the case of people who were already working shorter hours than anybody else, a longer period was more necessary with regard to the people to whom the change would be considerably greater. He had received all sorts of memorials and so forth from districts where the people considered they would be most seriously handicapped under the Bill. Take the case of the Forest of Dean district. They were told in the debate the other day practically that the case of the Forest of Dean could not be taken seriously because there were only 5,000 miners there. He did not care what the number was. He said it was a gross injustice that those people should be placed under disadvantageous conditions when strong counties like Durham and Northumberland managed to escape the effect of the Act for an additional six months. He did not put it to the Government, because they were not the real promoters of the Bill, but he put it to the Labour Party and the Miners' Federation that they were putting their comrades in the federated districts under a considerable disadvantage as compared with Northumberland and Durham. Personally he felt so strongly upon the disadvantage at which the other districts would be placed as compared with Durham and Northumberland that he should prefer an arrangement by which the Bill came into operation all over the country on the earlier date of 1st July. He would like to make an appeal to those responsible for the Bill and not to the Government because he believed them to be much more reasonable than they occasionally appeared. They had got their Bill and it was a most notable triumph, and he thought they might well exercise some little generosity. They might under the circumstances, in view of the tremendous victory they had achieved, show some consideration to their opponents, and he ventured to submit that the most practical way of dealing with the difficulty was to postpone the period when the Bill was to come into operation to 1st January, 1910. He urged this for the purpose not only of studying the general convenience but for allaying the anxiety which was felt on all sides with regard to the effect of the measure. He sincerely trusted that the Government who were only nominally responsible for the Bill would view his proposal in a favourable light, and if they were unable to accept the Amendment as he proposed it, he hoped they would consider the matter between now and the Report stage, in which case he should be most happy to withdraw his Amendment.

Amendment moved—

"In page 6, line 11, to leave out from the word 'operation' to the word 'on' in line 12."—(*Lord Newton.*)

LORD KNARESBOROUGH said he had put down a similar Amendment, but he intended to support this Amendment. The reason he did not put down 1st July was that he was afraid the Government would not consent to such an extension. July would be a much more suitable time than January, and if the Government would be content to give them 1st July, 1910, instead of 1st January, he was sure his noble friend Lord Newton and himself would be glad to withdraw the Amendment and support the Government.

LORD BELHAVEN AND STENTON also desired to support the Amendment. He had received from both the East and West of Scotland urgent appeals that there should not be any preference given to Northumberland and Durham.

THE EARL OF DURHAM said the noble Earl opposite had suggested something in the nature of a vicious compact existing between the people in Northumberland and Durham and the Government. For his part he should say there was no such compact. The noble Lord opposite had made a rather long speech upon this subject, and had pointed out to their Lordships the selfishness and greed of the owners and miners of the two counties of Northumberland and Durham. He might have ascertained with a very little inquiry whether it was true that these two counties were desirous of taking an advantage over the other coal areas in the country. He was informed on good authority by persons who ought to know that in those two counties they had not the slightest desire to gain any advantage over any other county, but what they said was that they should be given at least up to January, 1910, to make their fresh arrangements. Lord Londonderry had said that the Bill would produce a revolution in the coal trade of Northumberland and Durham. It would produce a revolution in the working of their system, and that was what the noble Marquess opposite meant. They did not want any advantage over the other counties, and they urged the Government to leave their time limit, if he might so call it, as it was in the Bill. If the Government would allow the other counties to have that same time limit as well he was sure the counties of Northumberland and Durham would not object in the slightest degree.

THE EARL OF DUNRAVEN said that if this Amendment was agreed to it would cover the case of an Amendment he had later on, so far as South Wales and Monmouthshire were concerned. He thought the case of South Wales and Monmouthshire strengthened the argument which had been used by Lord Newton. In the South Wales district, practically speaking, no house coal for domestic purposes went out of the district. The whole business was an export one, for the supply of shipping and large matters of that kind, and it was a business which must be carried on by contracts extending over a considerable time and made some time before the period commenced. He thought he would be quite accurate in saying that all the contracts for next year were made two or three months ago. He need scarcely point out that if the Bill was to come into operation in that district in July next, the disturbance and dislocation of business would be terrific, and it might be impossible in some cases for the contracts entered into to be carried out at all. Therefore, on account of the business of South Wales and Monmouthshire it was almost imperative that the operation of the Act should not come into force until the period for which these contracts had been made had expired, namely, the end of next year. There was another reason, and a rather cogent one, and that was that the wages scale which was fixed for three years, would terminate at the end of next year, and a new scale of wages would have to be settled upon. He need scarcely say that it would not diminish the labours and difficulties of the Conciliation Board in settling a new scale of wages in January 1910, if the district had scarcely recovered from the trouble and dislocation of business which would occur if this Act came into operation in the previous year. It was very important that in South Wales and Monmouthshire this Act should not come into operation until the end of next year. He had mentioned these reasons because he thought they would strengthen the case which Lord Newton had made out for postponing the operation of this Bill generally to that date.

LORD BALFOUR OF BURLEIGH said he did not propose to intervene in the discussion as to the relative virtue of the miners of one part of the country or the other. He noticed there was a preference given to the districts of Northumberland and Durham, and his noble friend had an Amendment on the Paper which would add to the districts which got a preference. He did not propose to argue for one date or another. but he urged very strongly that there should be no preference between one district and another. Northumberland and Durham they all knew exported a large portion of their coal, and so did South Wales. The districts in which he was interested in the East of Scotland, in Fifeshire and Clackmannan, were also large exporting districts, and he had had strong letters from his district urging that there should be no preference to any county at all. They said they were already engaged in arranging their contracts for next year, and unless they knew the terms and had the same terms as the other counties with which they were competing it would be most unfair to them. He did not intervene as between one district and another, but he wished to put in a plea for absolute equality of treatment between one district and another.

EARL BEAUCHAMP: I notice that there is on the Paper an Amendment on this point standing in the name of the noble Earl, Lord Plymouth. At this point perhaps your Lordships will allow me to express my sympathy with Lord Plymouth and the cause of his absence, which is the serious illness of his eldest son. I am sure your Lordships will sympathise all the more when I tell you that the noble Lord's son is far away from home, in India. Fortunately, we have now passed from the more acute stages of controversy in regard to this Bill. We have admitted the principle on both sides of the House, and what is now before us is not so controversial as the actual principle of the measure. The Government would welcome the opinion of any Member of your Lordships' House, and I delayed intervening in order that every noble Lord might have his say, and if possible, afford some guidance to the Government. Now there are two courses open to the Government. We may either withdraw the concession made to Northumberland and Durham—and I think that would be an ungracious step—or we might make the concession go further and extend it to every other coalfield throughout the country. There is this caveat which ought to be entered with regard to the date being fixed, which will appeal to the noble Lords who have any fear of a rise in the price of coal as a consequence of the passing of this Bill. If it takes effect on 1st January it will be much harder than on 1st July. So far as that is concerned, I think it is a matter which ought to be considered. In any case His Majesty's Government do not propose to divide the House on this question, and although no division will be taken I hope your Lordships will not regard that as an intimation that we are prepared to accept that date. We keep a free hand.

THE MARQUESS OF LANSDOWNE: We hail with delight the noble Lord's readiness on this occasion to accept guidance from these benches. We have not found him quite so pliable on other occasions. I venture to say that this is an occasion upon which we really have a right to look for guidance from the authors of this Bill, and those who are responsible for its details and for the elaborate machinery which it sets up. I should have been perfectly ready to leave it to His Majesty's Ministers after hearing the eloquent pleas advanced from several quarters to decide whether or not this alteration to the Bill came within the scope of their scheme. I should be very sorry to take any part in forcing a proposal of this kind upon the Government, and I will tell your Lordships why. It is not because I hold a brief for Durham and Northumberland, which seem extremely well able to take care of themselves. My misgivings are founded upon an entirely different reason. If this Amendment were adopted we should fundamentally alter the scheme of the Bill so far as the time at which it comes into operation is concerned. Under the Bill as it stands for collieries in general, the date of the beginning of the operation of the Bill is 1st July, and it is quite obvious what the reason is why that date has been fixed upon. It is quite evident that the Government had at the back of their minds the fear that this Bill would produce a very serious disturbance of trade, and the fact that they chose the date as 1st July is conclusive evidence that they are aware that a great dislocation of trade may take place in consequence of the passage of this Bill. Now it is suggested that we should alter that date for all collieries and move it forward to 1st January, 1910. As the noble Lord has already pointed out that would bring the operation as to the commencement of the Act into mid-winter, and if His Majesty's Government are right in anticipating, and if we are right also in anticipating, that this dislocation of business might cause a coal famine, it is quite obvious that it would be most unfortunate if that dislocation took place in the winter months. I will be no party to any attempt to press this alteration on the Government, but if upon a review of all the facts they decide to abandon the preferential treatment of Durham and Northumberland, and to make the Act begin at the same date for all the collieries, choosing whatever date seems to them most advisable for that purpose, I have nothing more to say. I will not, however, take the responsibility of pressing this proposal upon the Government against their better judgment.

*THE EARL OF CREWE: I am very unwilling to take part in this discussion, because I am, to some extent, an interested party, and I should greatly have preferred one of my noble friends to have taken part in this discussion. The question is one of very considerable difficulty. I confess I do not see how the Bill is to be brought into operation without some hardship upon somebody. I think it is true that a preference given to the counties of Durham and Northumberland might operate to the disadvantage of trade in some other parts of England. It would not, however, be a permanent damage, but it might be one of considerable extent. On the other hand His Majesty's Government are impressed by the argument which I understand was put forward on the Second Reading by the noble Marquess who has just sat down, although we do not believe that any serious rise in prices will follow the coming into operation of this measure. Apparently a great many people do believe that, and I suppose noble Lords opposite continue to hold that opinion and believe that the passing of this Bill will cause a rise in the price of coal. Those opinions unfortunately have a way of causing the very event of which they are afraid. We are not afraid of a serious rise in prices due to the actual operation of this Bill, but we are afraid of something like a possible panic caused by those who hold the view about it which the noble Lords opposite have expressed. It is undoubtedly true that any panic of that kind will have an infinitely more serious effect in the winter than in the summer, because it would affect not so much contract coal as house coal which is used so much by poor people. Under these circumstances we entertain a very strong objection to a winter date, and for that reason at any rate, as at present advised, we are obliged to adhere to the dates named in the Bill, although we do not propose to divide the House against the Amendment.

*THE EARL OF CRAWFORD said the noble Earl who had just sat down spoke of the loss not being permanent. He wished to point out that the loss on a contract made by a colliery company owing to a strike or anything of that sort was never recovered. He had had thirty years experience as Chairman of one of the largest coal companies in this country, and he could say that they never recovered the loss they sustained on any contract which failed owing to a strike. Such contracts were taken up by somebody else in a moment, and contracts amounting to 30,000 or 40,000 tons per annum had been lost in this way.

*THE EARL OF CREWE: I do not dispute the noble Lord's statement in the slightest degree.

LORD KNARESBOROUGH asked why, if the Government disliked this proposal so much, they did not bring up an Amendment to split the difference and make the date the 1st October? In that case Durham would give up three months, and the other counties would gain three months. He thought the 1st October would be a very good date to adopt.

LORD NUNBURNHOLME said 1st October was the time when the large contracts were made in Yorkshire, and he was afraid it would be taken advantage of in order to get more money for wages.

THE EARL OF CAMPERDOWN said the noble Earl opposite had stated he did not wish to give any preference to Durham and Northumberland and that he was very much impressed by the speech of Lord Newton.

*THE EARL OF CREWE: May I explain that in speaking of that preference I am speaking on my own account? I am personally interested in the matter, and I wish it to be understood I was speaking purely in my own personal capacity.

THE EARL OF CAMPERDOWN said he was certain no one supposed for a moment that the noble Lord would speak differently on any subject whether he was interested or not. He said he did not wish to give any preference to Durham or Northumberland, and then he went on to say that the 1st January was a suitable date, and he proposed to keep the Bill as it was. The result of that was that he continued this preference to Durham and Northumberland. He hoped he would accept the advice of Lord Knaresborough, which was that to-morrow morning, seeing the difficulty in which they were placed by the Government proposal as it stood, he would come down and take the lead of the House, and give them some date which in his opinion would meet the difficulties which he admitted had arisen.

LORD NEWTON said that to him one thing seemed perfectly clear, and it was that each of the two front benches was anxious to fix the responsibility of the date on the other. This was a question which would have to be settled by the back benches. What he should like to do would be to withdraw his Amendment on the understanding that the Government would come down to-morrow and give them a plain statement of their policy on this question.

LORD ST. DAVIDS thought they were all agreed that Northumberland and Durham should not be favoured and that it would be inadvisable to bring this Act into operation in the winter. Would it not be a simple matter to make the date 1st July, 1909, and let it apply equally all round? That would equalise everybody, and bring the Act into operation in the middle of the summer at a time when trade was not very good and the price of coal was likely to be falling rather than rising.

THE EARL OF DURHAM said he must really ask their Lordships to object to this proposal. It was now the 17th of December, and to say that in July next the unfortunate counties of Durham and Northumberland should have to make all their arrangements was absurd.

LORD NEWTON said everybody else had to do the same.

THE EARL OF DURHAM asked why not give them to July, 1910? He thought the noble Earl, Lord Plymouth, was going to move an Amendment to that effect, namely, that the Bill should not come into operation until July, 1910. Durham and Northumberland required no preference, and noble Lords were all agreed that some inconvenience would be caused if it came into operation in January. It was absolutely sure that there would be a strike in Durham if the Act came into operation in July next, and it would be much better if the Government would prolong the time until July, 1910.

Lord AVEBURY said they were all agreed that they could not give a preference to Northumberland and Durham. The Government said they could not withdraw from Northumberland and Durham the date they proposed. They also said that the Bill could not be brought into operation in December, and that it ought to come into operation on 1st July. Therefore he thought they were all agreed that the 1st July, 1910, was the date on which the Bill ought to come into operation. He suggested to his noble friend that he should withdraw his Amendment and move the words "the 1st July, 1910," and that would carry out the general opinion of the House.

Lord NEWTON said he would do so but he knew that there was not the faintest chance of it being accepted. Therefore he saw no use in making that suggestion.

Lord AVEBURY said he would take the responsibility of moving those words himself.

On Question, Amendment agreed to.

Amendment moved.

"In page 6, line 13, to omit the word 'January' and insert the word 'July.'"—(*Lord Avebury.*)

Earl BEAUCHAMP: I understand that the Amendment is to make the date 1st July, 1910. I think your Lordships will see that the Government will not be able to accept an Amendment of that kind.

***Viscount ST. ALDWYN**: If the Government cannot accept this Amendment, speaking for myself, I think it would be advisable that we should insert this word now, and perhaps the Government will have made up their minds by to-morrow what their policy really is.

***The Earl of CREWE**: The policy of the Government is contained in the Bill.

The Earl of CAMPERDOWN said the Government had told them that they did not wish to give a preference to Durham or Northumberland.

The Earl of CREWE: I never said anything of the sort.

Lord BALFOUR of BURLEIGH said the policy of the Government was not in the Bill. The first words of the noble Earl were that the Government object to any preference, and preference was in the Bill.

Lord AVEBURY understood the Government said there were strong reasons against bringing the Bill into operation on 1st January. Therefore they were all agreed that it should be July.

On Question, Amendment agreed to.

Standing Committee negatived.

The Report of Amendments to be received to-morrow, and Bill to be printed as amended. [No. 267.]

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [H.L.].

Amendments reported (according to order); further Amendments made. Bill to be read 3^a To-morrow, and to be printed as amended. [No. 268.]

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

Read 2^a (according to order), and committed to a Committee of the Whole House To-morrow.

POST OFFICE SITES BILL [H.L.].

Commons Amendments considered (according to order), and agreed to.

CHILDREN BILL.

Commons' Amendments to Lords' Amendments and consequential Amendments, and Commons' reasons for disagreeing to certain of the Lords' Amendments considered (according to order).

EARL BEAUCHAMP: The first Amendment which stands on the Paper is the one made by your Lordships in page 17, line 21, to leave out from the word "purpose" to the end of the clause and insert "Provided that such persons shall be either inspectors or assistant inspectors of reformatory and industrial schools, members of the medical profession, or persons of experience in the management and training of children." The Commons disagree with this Amendment, because they think that the Secretary of State should have full power to avail himself of the services of officers whose experience would render them well qualified to act as inspectors of children's homes. I have to move that your Lordships do not insist upon such Amendment. It deals with the question of the people who are to inspect and look after the children, and it was felt by the Home Secretary to be very important that he should have as full a discretion in the matter as possible. It is considered by the Commons that your Lordships' Amendment fetters that a discretion, and, therefore, in another place your Amendment has been struck out. I, therefore, ask you to agree to the Commons Amendment.

Moved, "That this House does not insist upon its Amendment."

On Question, agreed to.

EARL BEAUCHAMP: The next of your Lordships' Amendments dealt with is in page 30, lines 10 and 11, to leave out the words "other than the mother of the child," and in line 17, to leave out the word "child" and insert the word "person." The Commons propose to insert the following consequential Amendment. "In page 30, line 20, after the word 'school' to insert the words 'Provided that a child shall not be treated as coming within the description contained in paragraph (*f*) if the only common or reputed prostitute whose company the child frequents is the mother of the child, and she exercises proper guardianship and due care to protect the child from contamination.'" The House of Commons desires this Amendment to be left as it was moved by the Lord Chief Justice who has concurred with the words on the Paper.

On Question, Amendment agreed to.

Drafting Amendments made by the Commons in Clause 108, page 61, line 27, and in page 65, line 15, agreed to.

EARL BEAUCHAMP: The next Amendments which I have to move are those relating to Clause 119, which deals with the exclusion of children from the bars of licensed premises. Your Lordships will see on the Paper the Amendments which the House of Commons propose. They suggest, in the first place, to insert in line 15, after the word "bar," the words "apparently a person over the age of fourteen." That is intended to cover the case of an elderly boy who looks to be older than he is, and it deals with what we know as the big boy.

Moved, "That this House doth agree with the Commons in the said Amendments."—(*Earl Beauchamp.*)

On Question, agreed to.

VISCOUNT MIDLETON said these were Amendments to a clause in a Bill which was said to have been most carefully reviewed and discussed in another place, and which was claimed to have been sent up to their Lordships' House in its final form. It had now come back from the Commons, and no less than four very important Amendments had been made in it.

EARL BEAUCHAMP: The next Amendment to this clause suggested by the Commons is intended to meet the Scottish point. In Scotland it appears that some public-houses there are like shops. They have a private bar, and it is desired that a child should be allowed to go into that bar to carry the dinner to its father. That will be possible under this Amendment, but unless the Amendment is made the child will be able to enter the bar, but it will not be able to get away. The first Amendment I propose is in "line 17, after the word 'premises' to insert the words 'or who is in the bar of licensed premises solely for the purpose of passing through in order to obtain access to some other part of the premises, not being a bar, where there is no other convenient means of access to that part of the premises.'"

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

EARL BEAUCHAMP: The Commons have inserted a further Amendment in the same clause "in line 18, after the word 'of' to insert the words 'railway refreshment rooms or other.'"

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

Consequential Amendment made.

EARL BEAUCHAMP: The Commons propose to amend your Lordships' Amendment to Clause 122, page 68, lines 1 and 2, by inserting the words "whether charged with an offence or not" after the word "person," and after the word "court" inserting the words "other than for the purpose of giving evidence."

Moved, "That this House doth agree with the Commons in the said Amendment."—(*Earl Beauchamp.*)

On Question, agreed to.

EARL BEAUCHAMP: The Commons disagree with your Lordships' Amendment in Clause 131, page 74, line 3, and propose the following Amendment in lieu thereof: "and references in section one hundred and nineteen and section one hundred and twenty to a licence, to licensed premises, and to intoxicating liquor respectively as references to a certificate, to certificated premises, and to exciseable liquor, within the meaning of the Licensing (Scotland) Act, 1903."

Moved, "That this House doth not insist upon its Amendment, and agrees with the Commons' Amendment proposed in lieu thereof."—(*Earl Beauchamp.*)

On Question, agreed to.

EARL BEAUCHAMP: I move that your Lordships do not insist on your Amendment to Clause 132, with which the Commons have disagreed, and which is in the following terms: "The exemptions from Part I. of this Act contained in section eleven thereof shall extend to any person who undertakes for reward the nursing and maintenance of such infants only as are boarded out with him by some religious or charitable society or institution approved by the Local Government Board for Ireland." The Commons disagree to this Amendment because they think that the powers of exemption possessed by local authorities are sufficient. When the Amendment went down to the Commons, it found no friends on either side of the House, and that being so the Government cannot see their way to ask your Lordships to insist upon it.

Moved, "That this House doth not insist upon the said Amendment."—(*Earl Beauchamp.*)

THE EARL OF DONOUGHMORE insisted that the Amendment ought to have found friends in His Majesty's Government. When he moved it in Committee the noble Earl opposite said that, if he would restrict its operation to Ireland, the Government were disposed to accept it. He consented so to restrict it, the Irish Office redrafted its terms, and in that form it was accepted by the Government and embodied in the Bill. Now the Government disagreed with it, and, in these circumstances, he thought he was justified in strongly protesting against such treatment being meted out to their Lordships' House. He did not think it was unreasonable to say that it was generally understood that, when the noble Lord in charge of a Bill accepted an Amendment, he accepted it as an integral part of the Bill, and that its acceptance would be recognised in another place.

*THE EARL OF CREWE: I am sorry the noble Earl is so angry with us on this point, but the case is not quite as he puts it. He brought forward his Amendment, vouching for it that he was representing Irish opinion on the matter, and it was accordingly accepted by my noble friend Earl Beauchamp with that simple faith which distinguishes him. It went down to the House of Commons, and both sides of that House seem to have agreed that it was an Amendment that ought not to be accepted. Therefore it is perhaps hardly fair to regard my noble friend's acceptance as an unqualified acceptance. I am quite sure that my noble friend had no intention of misleading the noble Earl.

THE MARQUESS OF LANSDOWNE: Nothing is further from our thoughts than imputing anything like bad faith to the noble Lord in charge of the Bill, but when understandings are arrived at in Committee of this House, His Majesty's Government, who command the big battalions in another place, should see to it that those understandings are not thrown over. If understandings of that kind are liable to be thrown over it renders it much more difficult to come to terms, as we always wish to do, if possible, when discussing the details of a Bill in Committee. I recollect a case when my noble friend the President of the Board of Agriculture accepted some Amendments from us, and when the same difficulty was raised in another place he put his foot down and said that having accepted the Amendments it was his intention to see that they were retained. I am sorry a little more courage has not been shown in this matter.

On Question, Motion agreed to.

EARL BEAUCHAMP: Your Lordships made the following Amendment, "in page 82, line 20, after the word 'evidence' to insert the following new subsection: "The Licensing (Ireland) Acts, 1853 to 1905, shall be substituted for the Licensing Acts, 1828 to 1906.'" The Commons disagree to this Amendment, but propose the following new subsection in lieu thereof: "The provisions of section one hundred and twenty of this Act (relative to the exclusion of children from bars of licensed premises, shall not apply in the case of any child going to or being upon licensed premises, if a substantial part of the business carried on upon the premises is a drapery, grocery, hardware, or other business wholly unconnected with the sale of intoxicating liquor, and the child or the person (if any) in whose custody the child is, goes to or is upon the premises for the purpose of purchasing goods other than intoxicating liquor for consumption on the premises; and the reference in the said section to the Licensing Acts, 1828 to 1906, shall be construed as a reference to the Licensing (Ireland) Acts, 1833 to 1905."

Moved, "That this House doth not insist upon its Amendment, and agrees to the Commons' Amendment proposed in lieu thereof."—(*Earl Beauchamp.*)

On Question, agreed to.

Bill returned to the Commons with the Amendments.

SUMMARY JURISDICTION (SCOTLAND) BILL.

Amendments reported (according to order), and Bill to be read 3^a To-morrow.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Amendments reported (according to order); further Amendments made; Bill to be read 3^a To-morrow, and to be printed as amended. [No. 269.]

CROFTERS' COMMON GRAZINGS REGULATION BILL.

House in Committee (according to order). Bill reported without Amendment. Standing Committee negatived, and Bill to be read 3^a To-morrow.

CRIMINAL APPEAL (AMENDMENT) BILL [H.L.].

Commons Amendment considered (according to order), and agreed to.

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Commons' Amendment to Lords' Amendments considered (according to order).

Lords' Amendment—

After Clause 4, to insert the following new clause: ' 5. Nothing in this Act shall be construed so as to prohibit a local authority from admitting the public to its meetings, and, subject to the accommodation available, the public shall have the right of admission to meetings of local authorities at all times when the Press is admitted to such meetings under this Act.' "

The Commons propose to amend this Amendment by leaving out from the word " meetings " in line 2, to the end of the clause.

THE EARL OF DONOUGHMORE said he had been in communication with those who objected to the proviso as it left their Lordships' House, and the following proviso would meet their views: " Subject to the accommodation available, the public shall be admitted to the meetings of a local authority at such times as representatives of the Press have a right to be present under the provisions of Section 1 of this Act unless the local authority, by a majority, otherwise determine." He would formally move that Amendment in order to enable a discussion to take place.

THE EARL OF ONSLOW thought he was correct in saying that when the noble Lord moved the original Amendment he did so on his own account, and not on behalf of the County Councils Association. Strong representations against the Amendment put in at the instance of Lord Belper had been made by the Borough Councils Association, and they greatly preferred the Commons' Amendment. Unless the Government expressed some view to the contrary he thought their Lordships would be well advised to agree to the Commons' Amendment.

*LORD ALLENDALE said the Government preferred the words which had been inserted by the Commons to the words suggested by the noble Earl, Lord Donoughmore. He did not think the words which had been suggested would very materially alter the effect. Although he appreciated the noble Earl's position in reference to Lord Belper's Amendment, he would remind the House that the Bill was one dealing with admission to the Press and did not affect the public. He hoped their Lordships would agree with the Commons' Amendment.

VISCOUNT MIDLETON said that if they took the course suggested by the Government they would be giving the Press a right which they were not giving to the public. He thought the Commons' Amendment went too far. The Amendment proposed that the public should have an equal right with the Press subject to exclusion by a special vote.

*THE EARL OF CREWE: This has come down to an extremely small matter, because, as proposed by the noble Earl opposite, there is a distinct preference to the Press, and you cannot get over it. The Press have a right of admission, and the public have only a right of admission if the local authority agree. I put it to the noble Lord whether it is worth while to send this Bill back to the House of Commons with this extremely minute Amendment.

THE EARL OF DONOUGHMORE said the difficulty he was in was that Lord Belper was not present. As the Government had appealed to him he did not think it would be necessary to put their Lordships to the trouble of a division, and he begged to withdraw his Amendment.

Amendment, by leave, withdrawn.

Commons' Amendment agreed to.

STATUTE LAW REVISION BILL [H.L.].
COMMONS BILL [H.L.].

Returned from the Commons agreed to.

EDUCATION (SCOTLAND) BILL.
PREVENTION OF CRIME BILL.

Returned from the Commons with the Amendments agreed to.

POISONS AND PHARMACY BILL [H.L.].

Returned from the Commons agreed to, with Amendments. The said Amendments to be printed, and to be considered To-morrow. [No. 270.]

APPELLATE JURISDICTION BILL [H.L.].

Returned from the Commons agreed to, with Amendments. The said Amendments to be printed, and to be considered To-morrow. [No. 271.]

LAW OF DISTRESS AMENDMENT BILL.

Returned from the Commons with the Amendments agreed to with Amendments. The said Amendments to be printed, and to be considered To-morrow. [No. 272.]

CONSTABULARY (IRELAND) BILL.

Brought from the Commons, and read 1ª; to be printed; and to be read 2ª To-morrow (The Lord Denman). [No. 273.]

PUBLIC MEETING BILL.

Brought from the Commons, and read 1ª; to be printed; and to be read 2ª To-morrow (The Viscount Hutchinson (*E. Donoughmore*).) [No. 274.]

LONDON ELECTRIC SUPPLY BILL [H.L.].

Commons' Amendment considered.

*THE EARL OF ONSLOW said he ought to say a word or two about these Electric Supply Bills, because they were considered by a Committee of their Lordships' House for a very protracted period. One of those Bills had been rejected, and this one had been modified almost out of recognition. It was originally intended to be merely a Bill for linking up certain companies which might require assistance from one another, but it had now been made into a Bill by which they might all be linked up, and at a future period purchased by the London County Council. He was not going into the details, and he only wished to say that there were two provisions to which some exception might be taken. One provision was that the London County Council might lend to these companies sums of money shortly before the time arrived to purchase the companies upon such terms and conditions as they might arrange. The effect of that might be that the money advanced would take precedence of the present debentures. The other point was that a clause had been inserted by the Commons to the effect that the London County Council should have concurrent powers with the local authorities, and also with the Postmaster-General, to object to the erection of any plant or other buildings required by the companies in public roads or streets. It had been proved entirely to his satisfaction that this was not a new power, but that all the companies were now working under Provisional Orders granted by the Board of Trade which conferred on the London County Council the same powers as they were asking for under this Bill. If the noble Lord's reply was satisfactory he would move that the Commons' Amendment be agreed to.

*THE EARL OF CRAWFORD said that a new principle had been introduced into this Bill because a single Department of the Government might now come forward and impose upon private companies a limitation of the powers granted to them by a special Act of Parliament under a provisional order. He wished to protest against this provision being taken as a precedent. It simply meant that although a company might have powers and room for the production of, say, 100,000 horse-power they were told that they should not exercise their rights and were limited to 60,000 horse-power; thus the company might be forced to buy land in another place and sacrifice their capital.

LORD HAMILTON OF DALZELL said that the question of the security of the debenture holders being affected by this loan from the county council had been considered and the Board of Trade had taken counsel's opinion on the point. They had been advised that nothing in the sub-clause affected the rights of the debenture holders. The noble Lord was correct in assuming that the authorities consulted in regard to the laying of mains under various Provisional Orders were the Postmaster-General and the local authority, and in the case of London the borough council and the London County Council. Therefore the Bill did not make any serious change. The provision inserted by the Admiralty was for the protection of the Royal Observatory at Greenwich, and although it might be hard on the company, obviously it was necessary in the national interest.

*THE EARL OF CRAWFORD said he was not complaining of the particular instance, but he did not think it ought to be used as a precedent.

LORD HAMILTON OF DALZELL said he could not promise that under similar circumstances the same thing would not be done again. He thought that in future companies ought to avoid the selection of such sites.

Moved, "That this House doth agree with the Commons in their Amendments."—(*The Earl of Onslow.*)

On Question, Motion agreed to.

LONDON (WESTMINSTER AND KENSINGTON ELECTRIC SUPPLY COMPANIES BILL [H.L.].

Commons' Amendments considered, and agreed to.

TUBERCULOSIS PREVENTION (IRELAND) BILL.

Brought from the Commons, and read 1^a; to be printed; and to be read 2^a To-morrow (The Lord Denman). [No. 275.]

WATER OF LEITH PURIFICATION AND SEWERAGE ORDER CONFIRMATION BILL.

Brought from the Commons and read 1^a; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2^a (The Lord Herschell), and reported from the Committee; and to be read 3^a To-morrow. [No. 276.]

HOUSE OF LORDS OFFICES.

Third Report from the Select Committee made, to be printed, and to be considered To-morrow. [No. 266.]

House adjourned at twenty minutes before Nine o'clock till To-morrow, Twelve o'clock.

Lord Hamilton of Dalzell.

HOUSE OF COMMONS.

Thursday, 17th December, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Ards Railways Bill.—Lords Amendments, in pursuance of the Order of the House of 23rd July, considered, and agreed to.

Perth Corporation Order Confirmation Bill.—Lords Amendments considered, and agreed to.

Water of Leith Purification and Sewerage Order Confirmation Bill.—Considered; read the third time, and passed.

RETURNS, REPORTS, ETC.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Petitions against, From Cardiff and other places; Failsworth and other places; London; Manchester and other places; Messrs. J. and P. Coats, Limited, and other Textile Companies; Newcastle upon Tyne and other places; and Sheringham and other places; to lie upon the Table.

IMPORTATION OF PLUMAGE PROHIBITION BILL.

Petition of Manufacturers in the United Kingdom, against; to lie upon the Table.

SCOTTISH LOCAL AUTHORITIES (DEPUTATION EXPENSES).

Return presented, relative thereto [ordered 30th July; *Mr. Pirie*]; to lie upon the Table, and to be printed. [No. 374.]

AGRICULTURAL STATISTICS (IRELAND).

Copy presented, of Return of prices of Crops, Live Stock, and other Irish Agricultural Products for 1907–8 [by Command]; to lie upon the Table.

EAST INDIA (ADVISORY AND LEGISLATIVE COUNCILS, ETC.)

Copy presented, of Vol. I., Proposals of the Government of India and Despatch of the Secretary of State [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Hours of London Horse Bus Drivers and Conductors.

MR. MORRELL (Oxfordshire, Henley): To ask the Secretary of State for the Home Department whether his attention has been called to the hours which the drivers and conductors of horse omnibuses in London are obliged to work; whether he is aware that in many cases these amount to more than sixteen hours a day and to an average of eighty-five or ninety hours a week; and whether he will make a Return showing the number of men employed, the average rate of wages by the hour, and the average number of hours of work by the day and by the week.

(*Answered by Mr. Secretary Gladstone.*) The information in the possession of the police does not show that the hours are so long as the hon. Member supposes; but full particulars could be obtained only by application to the companies, and I do not think that the publication of a Return is desirable. I am making inquiry into the matter, but, as I stated last week, I have no direct authority to interfere.

Channel Islands Shipping Laws.

SIR W. J. COLLINS (St. Pancras, W.): To ask the Secretary of State for the Home Department whether any further steps have been taken during this year to assimilate the shipping laws of Guernsey and Jersey to those obtaining in this country.

(*Answered by Mr. Secretary Gladstone.*) The law officers of Guernsey are at the present time in Jersey holding a conference with the Jersey law officers upon the subject.

Policing of Primrose Hill.

SIR W. J. COLLINS: To ask the Secretary of State for the Home Department whether any complaints have reached the Commissioner of Metropolitan Police in reference to insufficient policing of Primrose Hill; and whether he proposes to increase the number of constables employed there on night duty.

(*Answered by Mr. Secretary Gladstone.*) The police are responsible for Primrose Hill by night only, not by day. During the past twelve months only one complaint has reached the Commissioner of Police, and it is not at present proposed to increase the number of constables employed on night duty at this place.

Land Transfer Acts.

MR. REMNANT (Finsbury, Holborn): To ask Mr. Attorney-General whether he is aware that new rules have been framed under the Land Transfer Acts, to come into operation on 1st. January next, whereby the *ad valorem* fees payable in connection with the purchase and mortgage of property after first registration are largely increased; will he explain why higher fees are to be charged on subsequent dealings with the registered property than are charged on first registration; and whether he will postpone the introduction of the new rules until the Royal Commission at present engaged in taking evidence on the working of the registration system has reported on the working of the system and on the expediency of continuing or determining its operation.

(*Answered by Sir W. Robson.*) I am informed that the Lord Chancellor, by whom the rules were made, was fully aware of the considerations mentioned in the Question, and discussed the matter both with the advisory committee under the Act and with the Royal Commission. The rules have been published, and it is not intended to recall them.

District Council Chairmen.

MR. CROYDON MARKS (Cornwall, Launceston): To ask the President of the Board of Education if the chairman of a rural or an urban district council is *ex-officio* a governor, and entitled to sit and act as such, of a secondary school when such school is situated within the area of such rural or urban district.

(*Answered by Mr. Runciman.*) No, Sir, unless the scheme or other instrument governing the foundation so provides.

Printed Notices in Stage Carriages.

SIR WILLIAM BULL (Hammersmith): To ask the Secretary of State for the Home Department whether he is aware that under the existing Act the exhibition of printed notices in Metropolitan stage carriages of matters affecting the public in relation to traffic working is prohibited; and, if so, whether an amendment of the regulations in this direction will be considered.

SIR WILLIAM BULL: To ask the Secretary of State for the Home Department if he has observed that, according to the Metropolitan police accounts for 1907–8, a sum of £41,658 11s. 5d. was the annual expenditure in the licensing of public vehicles and drivers and conductors in the Metropolitan area; if he will grant a statement showing fully how this total is made up; what this sum amounts to per vehicle and per man licensed; and a comparative statement in detail showing the cost of this work for each of the last ten years.

(*Answered by Mr. Secretary Gladstone.*) These Questions were put to me a few days ago by the hon. Member for Hoxton. I circulated Answers to them with the Votes on Tuesday morning last, and I have caused copies of these Answers to be sent to the hon. Member.

Taxi-Cab Meters.

MR. G. GOOCH (Bath): To ask the Secretary of State for the Home Department whether his attention has been drawn to the practice of falsifying the taximeter on motor-cabs; and, if so, whether he will take steps to check it.

(*Answered by Mr. Secretary Gladstone.*) It is a fact that in some instance taximeters have been falsified. The Public Carriage Department of New Scotland Yard have under consideration the introduction of checks, which it is hoped will prevent this in future.

Prison Detention Pending Trial.

MR. PICKERSGILL (Bethnal Green, S.W.): To ask the Secretary of State for the Home Department whether he is aware that in 1905 (the last year for which we have full statistics) 450 persons were detained in prison for twelve weeks and upwards before trial, and that of these thirty-one were acquitted; whether his attention has been drawn to the observations of Mr. Justice Bucknill, at the last Assizes at Carmarthen, on the acquittal of a young labourer tried before him, that he was almost horrified to find that the prisoner had been incarcerated for four months awaiting trial for a trivial theft; whether he is aware that another person was tried before the same Judge at the Assizes at Bristol who had been imprisoned awaiting trial for a similar period, and was discharged; and will he, as his circular letter to the Justices of August, 1906, has failed to produce the desired effect, instruct every governor of a goal to report to him at once each case in which a prisoner is committed charged with a trivial offence when a long time must elapse before trial, so that in suitable cases, by application being made for bail by the Director of Public Prosecutions, or otherwise, this state of affairs may be remedied.

(*Answered by Mr. Secretary Gladstone.*) I am aware of the figures mentioned, and have seen a newspaper report of one of the cases mentioned by the hon. Member. I would refer him to the Answers given by me to Questions in this House on 8th November, 1906, and 15th August, 1907. As he is aware, I have repeatedly brought to the notice of magistrates the importance of releasing prisoners on bail in proper cases, and have urged them to grant bail freely; but I fear that the suggestion made in the Question is not a practicable one. The Home Office is already overburdened with the duties which properly belong to it, and I am satisfied that it would do more harm than good if I attempted a general revision of the decisions of the Courts in matters in which they are in a much better position to judge of the circumstances than my Department can possibly be. I will make inquiry in the two cases mentioned in the hon. Member's Question, and endeavour to ascertain where the fault, if any, lies.

Inspection of School Buildings.

CAPTAIN FABER (Hampshire, Andover): To ask the President of the Local Government Board whether all buildings or houses used as private or public schools have to be certified as suitable by the sanitary authorities.

(*Answered by Mr. John Burns.*) No, Sir.

Petrol Accidents.

CAPTAIN FABER: To ask the President of the Local Government Board whether, looking at the numerous accidents that occur through taking petrol close to a naked light, he will consider the desirability of requiring that bottles in which it is sold should be marked "highly inflammable," or "not to be used near a naked light."

(*Answered by Mr. Secretary Gladstone.*) I beg to answer this Question on behalf of my right hon. friend. Under Section 6 of the Petroleum Act, 1871, all petroleum spirit sold or exposed for sale must be marked "highly inflammable," under a penalty of not more than £5 and forfeiture. I may add that I am about to appoint a Departmental Committee to inquire into the sufficiency of the existing regulations relating to the storage, use, and conveyance of petroleum spirit, and to report what further precautions, if any, are desirable.

London Police Magistrate and Anti-Vaccinationists.

MR. LUPTON (Lincolnshire, Sleaford): To ask the President of the Local Government Board whether his attention has been drawn to the remarks made by Mr. Hutton, one of the London police magistrates, in connection with a case in which a father, who was summoned before him on 24th October last for the non-vaccination of his child, pleaded a conscientious objection, to the effect that the legislature did not give the magistrates power of exemption when a conscientious scruple is pleaded on a summons; and whether he will consider the desirability of introducing a Bill giving magistrates that power.

(*Answered by Mr. John Burns.*) I have seen a newspaper report of the case mentioned. As my hon. friend is aware, a parent who conscientiously believes that vaccination would be injurious to his child can obtain exemption by making a statutory declaration within four months of the birth of the child. I do not propose to introduce further legislation on the subject.

Prosecution of Anti-Vaccinationists.

MR. LUPTON: To ask the President of the Local Government Board whether he is aware that parents who were refused exemption from vaccination under the Vaccination Act, 1898, are now being fined for the non-vaccination of their children; whether he is aware that in some cases parents who have obtained exemption in respect of children born after the commencement of the Vaccination Act of 1907 may be liable to be prosecuted in respect of unexempted children born before that date; and whether he will consider the desirability of ending this state of affairs by introducing legislation with a view to exempting parents from all legal proceedings in respect of children born before the date of the commencement of the Vaccination Act of 1907.

(*Answered by Mr. John Burns.*) I am aware that cases of the kind mentioned sometimes occur, but I am afraid I could not undertake to comply with the suggestion of my hon. friend.

Stoke-on-Trent Workhouse Stoneyard.

MR. JOHN WARD (Stoke-on-Trent): To ask the President of the Local Government Board whether he is aware that the Stoke-on-Trent Poor Law Guardians have recently declared their workhouse to be overcrowded, their stoneyard to be occupied to its full capacity by the unemployed, and that the guardians are now considering a proposal to turn the inmates of the casual ward out every morning without performing any labour test, so as to be able to use their cells for stone breaking by the unemployed; and whether, under these circumstances, orders will be issued at once for the establishment of a distress committee under the Unemployed Workmen's Act, 1905, in accordance with the repeated request of the Stoke-on-Trent Town Council.

(*Answered by Mr. John Burns.*) I am aware that there is pressure on the guardians, and that they are taking steps to meet it. As regards the setting up of a distress committee, I am still awaiting a reply to the letter to the town council to which I referred in my Answer to the Question put to me by my hon. friend on the 9th instant. When I receive that reply I will give the matter immediate attention.

Unemployed Processions in Paddington.

MR. ROGERS (Wiltshire, Devizes): To ask the President of the Local Government Board whether he is aware that processions of the unemployed from the boroughs of Paddington and Kensington are daily taking place in the streets for the purpose of soliciting alms; whether the councils of these boroughs are making any provision for the relief of distress caused by unemployment; and whether he will communicate with these authorities in order to insure such steps being taken as will relieve these persons in distress from the necessity of seeking their subsistence by organised begging in the streets.

(*Answered by Mr. John Burns.*) I am aware that processions of the kind referred to take place. The councils of both boroughs are engaged upon special measures to provide work for the unemployed. The Kensington Borough Council have passed various schemes of work, the total cost of which amounts to £7,300, and at Paddington the borough council have not only resolved on considerable expenditure on street works, but have also put in hand work at the recreation ground to which the Central (Unemployed) Body contribute. Moreover, works of tree planting are being carried out at Paddington, and some work in repairing and painting the town hall will be commenced to-day. Active steps are being taken in both boroughs to raise voluntary funds.

Workhouse Infirmary Patients and Old-Age Pensions.

MR. ROGERS: To ask the President of the Local Government Board whether an applicant who was received into the workhouse infirmary since 1st January, 1908, and was treated there for some months, but who has since repaid to the guardians the cost of his board and treatment at the rate fixed by them, will be disqualified for an old-age pension.

(*Answered by Mr. John Burns.*) The repayment of the cost of the relief does not affect the question of disqualification; but it may be that the relief would be found to be such as under paragraphs (i.) or (iii.) of Section 3 (1) (*a*) of the Old-Age Pensions Act does not disqualify. No opinion on this point could be given without full knowledge of the circumstances of the case.

Unemployment at Willenhall.

MR. GEORGE THORNE (Wolverhampton, E.): To ask the President of the Local Government Board whether he has been informed by the Urban District Council of Willenhall that after careful investigation they are satisfied that there are 200 men in their district willing to work who are unable to find employment; and whether, in view thereof and particularly of the near approach of Christmas, he will now consent to the application of the council for the establishment of a distress committee, or if not, in what other way he proposes to assist the council in their attempts to alleviate the distress there, which is already severe and which it is feared may soon become more acute.

(*Answered by Mr. John Burns.*) Information to the effect contained in the first part of the Question was supplied to me by the Urban District Council in October last. On 4th November I explained that I did not regard the information before me as sufficient to justify the establishment of a distress committee at that time. Since then no further particulars have been supplied to me by the Urban District Council.

Coast Erosion.

MR. G. GOOCH (Bath): To ask the President of the Local Government Board whether he can now definitely inform the House as to when the Reports of the Poor Law Commission and the Committee on Coast Erosion will be presented to Parliament.

(*Answered by Mr. John Burns.*) It is hoped that the Report of the Royal Commission on the Poor Law, so far as relates to England and Wales, will be presented early in the new year. Further Reports will be made subsequently as regards Scotland and Ireland. The Royal Commission on Coast Erosion contemplate presenting their Report on Afforestation in the course of next month; but it is not anticipated that their final Report, which will deal with the question of erosion, will be ready for some time.

Out Relief Rules.

MR. GEORGE ROBERTS (Norwich): To ask the President of the Local Government Board whether he is aware that boards of guardians in different parts of the country are ceasing to pay outdoor relief to persons living with relatives whose income is £1 per week or over; and whether he will make representations with a view to preventing the infliction of this hardship in many deserving cases.

(*Answered by Mr. John Burns.*) When application is made to the guardians for relief it is incumbent of them to take into consideration all the means possessed by or provided for the applicant from whatever source they may be derived. I have not received representations to show that the guardians are acting harshly in this matter, or that it is necessary that I should take any action with regard to it.

Pensions Committee for the Peak District.

MR. PARTINGTON (Derbyshire, High Peak): To ask the President of the Local Government Board whether he is aware that the old-age pensions sub-committee for the Peak area of Derbyshire is composed entirely of supporters of one political party; that the area covered is exceedingly large; and that no representatives of friendly societies or similar bodies have been included; and whether it is possible so to alter the constitution of this committee as to make it more representative of the inhabitants of the district.

(*Answered by Mr. John Burns.*) I have received a letter containing allegations to the effect stated in the Question. The formation of sub-committees for the purposes of the Old-Age Pensions Act and the appointment of persons to serve upon them rests with the local pension committee, and I am not empowered to alter the constitution of any sub-committee formed by them.

Pensioners from the Colonies.

MR. GULLAND (Dumfries Burghs): To ask the President of the Local Government Board whether a woman aged eighty, who has lived for seventy-two years in this country, is not eligible for an old-age pension, even though eight out of the last twenty years have been spent in Australia.

(*Answered by Mr. John Burns.*) Yes, Sir. A claimant who during the last twenty years resided for eight years or more in Australia would be disqualified for an old-age pension.

Mortomley Roman Catholic School.

LORD EDMUND TALBOT (Sussex, Chichester): To ask the President of the Board of Education whether his attention has been called to the fact that a visit of the sub-committee of the local education authority of the West Riding was paid to the Roman Catholic school at Mortomley on 17th September last, and at that visit the chairman brought to notice the case of a child named Florence Norman, a Wesleyan, attending this Roman Catholic school, stating before all the children as a reflection on the head teacher that this child's position in the school was a proof of faulty classification by the teacher, and denying and ridiculing the teacher's statement in explanation that Florence Norman was a delicate child requiring careful and special treatment; whether he is aware that a medical certificate, dated 4th November last, states that this child has been medically attended and absented herself from school at various times during the past two years under medical directions, and that she died on 26th November from an illness affecting the brain, and that the teacher has been instructed by the local education authority to visit other schools with a view of gaining additional experience at her own expense; and whether, under these circumstances, he will call the attention of the local authority to the reflection cast upon the head teacher.

(*Answered by Mr. Runciman.*) This case is under consideration, and my right hon. friend is not in a position to make any statement at present. I may add, however, that some of the statements made in the Question are denied by the local education authority.

Medical Inspection of School Children.

MR. LUPTON (Lincolnshire, Sleaford): To ask the President of the Board of Education whether he is aware that some local education authorities are including vaccination amongst the matters to be noted on the schedule of inspection in connection with the medical inspection of children at public elementary schools; and whether he will therefore point out to the authorities that the Board's draft schedule of inspection does not contemplate any inquiry into the vaccinal condition of the children, and that, in the view of the Board, it is not desirable that any such inuiry should be made.

(*Answered by Mr. Runciman.*) I am aware of the circumstances mentioned, and in all necessary cases where it appears that the local education authority are making inquiries on the point a communication is addressed to them in the spirit of the Answer given by my right hon. friend on 14th October last.

Wheelwright Grammar School, Dewsbury.

LORD R. CECIL (Marylebone, E.): To ask the President of the Board of Education whether he is aware that the local education authority for the West Riding of Yorkshire, in the application of money under Part II. of the Education Act, 1902, has required in the case of the Wheelwright grammar schools, at Dewsbury, that a particular form of religious instruction shall not be given; and what steps he proposes to take to secure obedience to the law by the local education authority.

(*Answered by Mr. Runciman.*) My right hon. friend is not without hope that a solution of the difficulty referred to in the noble Lord's Question may be arrived at which will make it unnecessary to consider what if any, further action would have to be taken by the Board.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities): To ask the President of the Board of Education whether in connection with the dispute between the local education authority of the West Riding of Yorkshire and the governors of the Wheelwright grammar schools, the Board of Education, in a letter to Messrs. Frederick Walker and Son, dated 10th August, 1908, stated that the governing body are disposed to apply to the Board for an Amendment of the scheme in accordance with the requirements of the authority; and, if so, upon what information this statement, which is repudiated by the governors and is entirely inconsistent with the terms of the agreement between them and the trustees of the Wheelwright Charity, was made.

(*Answered by Mr. Runciman.*) The Answer to the first paragraph of the Question is in the affirmative. In the letter in question, the Board of Education went on to say that the governing body considered that to make such an application would be a breach of the informal agreement come to between the Wheelwright Charity Trustees and the Town Council of Dewsbury, with the assent of the Charity Commissioners, when the provisions of the scheme of 1900 were under consideration; and that to the terms of this agreement, although it has no legal force, the governors consider themselves bound in honour to adhere unless the Wheelwright Trustees should voluntarily release them from the obligation. The statement in the letter was made in the result of an interview on 25th July, 1908, between representatives of the governing body and officers of the Board, at which the governors asked for advice and assistance from the Board, and agreed to a suggestion made that the Board should take steps to approach the Wheelwright Trustees with a view to their considering the question of releasing the governors from the honourable understanding referred to in the letter.

Post Office Discipline—Case of Mr. Dick.

MR. JOYNSON-HICKS (Manchester, N.W.): To ask the Postmaster-General whether the Tweedmouth Committee ascertained that before the punishment of an officer in the Post Office Department the precise nature of the charge brought against him was explained to him in writing, and that he was allowed to make, on his own behalf, a written explanation; whether the recommendation of the Committee that this practice should be strictly adhered to is still in force in his Department; if so, whether he will explain why the recommendation was not applied in the case of Mr. A. Dick, compulsorily transferred from Glasgow to Manchester, in 1907; whether he will now give him an opportunity to furnish a written explanation on the charges brought against him; and, if not, whether he will state his reasons for failing to carry out the recommendation of a committee whose findings were accepted by the then Postmaster-General.

(*Answered by Mr. Sydney Buxton.*) The rule referred to by the Tweedmouth Committee is still in force. The circumstances leading to Mr. Dick's transfer from Glasgow were of a kind so completely within his own knowledge that the application of the rule became a mere formality, which could not have affected the result. It should, nevertheless, have been complied with. The omission has since been repaired; and Mr. Dick has defended himself verbally and in writing without convincing me that he was treated unjustly. Mr. Dick's conduct since his transfer has been satisfactory; and he was informed more than a year ago that I was prepared to sanction, under certain conditions, his re-transfer to Glasgow.

Trawlers and Atlantic Cables.

MR. BOLAND (Kerry, S.): To ask the Postmaster-General whether his attention has been called to the continued damage caused to the Atlantic cables off the coast of Ballinskelligs, county Kerry, by trawlers; and whether, in view of the representations made by the United States Government and the chambers of commerce in the United States and England on this subject, he will use his influence to have these trawlers excluded from the cable zone, within which thirteen cables are laid, to a distance of about fifteen miles from the shore.

(*Answered by Mr. Sydney Buxton.*) My attention has been drawn to recent further cases of damage to the Atlantic cables off the coast of Kerry which are attributed to trawlers. In consultation with the President of the Board of Trade I appointed a committee last summer which carefully investigated the whole question. The committee had before it a proposal made by certain of the cable companies that trawlers should be excluded from an area extending some seventy miles from the shore (not fifteen miles, as suggested in the hon. Member's Question), in which damage attributed by the companies to trawlers had occurred. The committee considered this proposal impracticable, a view in which His Majesty's Government concur. It reported, however, in favour of an alternative proposal made by certain cable companies for the inspection of trawling gear, and the practical steps to be taken to give effect to this recommendation are now under the consideration of the Departments concerned.

Newburgh and North of Fife Railway.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Postmaster-General whether, in view of the opening of the Newburgh and North of Fife Railway in the near future, he will take all possible steps to improve the postal facilities of the districts concerned.

(*Answered by Mr. Sydney Buxton.*) I will have inquiry made in the matter, and will acquaint the hon. Member with the result.

Assistant Controller, London Postal Service.

MR. JOHN WARD: To ask the Postmaster-General whether it is with his authority that Mr. J. W. Crawford, the assistant controller of the London postal service, uses the General Post Office, E.C., as the address for his private practice.

(*Answered by Mr. Sydney Buxton.*) The question of the use of this address has not previously, so far as I am aware, been submitted for official consideration. It appears to me better that Mr. Crawford should use his private address, and he informs me that he will do so in future.

Discharges of Telegraph Messengers.

MR. C. B. HARMSWORTH (Worcestershire, Droitwich): To ask the Postmaster-General what percentage of boys employed as telegraph messengers have been discharged from the service under the age limit during each of the last five years, respectively; and what percentage has been retained for permanent service in other branches of the Department.

(*Answered by Mr. Sydney Buxton.*) I regret there are no Returns available for the period named by the hon. Member.

Education of Telegraph Messengers.

MR. C. B. HARMSWORTH: To ask the Postmaster-General what provision, if any, is made by his Department for the education of boy telegraph messengers with a view to fitting them for other occupations in the event of their being discharged from the telegraph service under the age limit or from other causes.

(*Answered by Mr. Sydney Buxton.*) For many years educational classes under competent teachers have been placed within the reach of telegraph messengers at important towns. These classes were established in connection with the institutes, or clubs, maintained partly by a Treasury grant, partly by the contributions of the boys, and partly by the voluntary labour of the staff, to provide for the physical and mental culture and the reasonable amusement of the boys. There are ninety-nine such institutes at work. At some towns it has been found advantageous to the boys to hand over the purely educational work to the local authority. In such cases the boys are assisted as far as necessary in paying the usual fees. The subject is a large one; and if the hon. Member desires more detailed information I shall be happy to give it him.

Glasgow Meat Market Letter Delivery.

MR. WATT (Glasgow, College): To ask the Postmaster-General whether he is aware that letters in the Tollcross district of Glasgow, which is a district of one and a half to two miles further from the central post office than the wholesale meat market in Moore Street, are delivered as early as seven o'clock in the morning; that the late delivery of letters to the meat market is entirely due to an arbitrary division line of postmen's districts having been drawn by his Department; and whether, in view of the fact that this important industry has been agitating for years for a 7.30 delivery, and is hampered in its trade by not receiving such, he will himself intervene so as to find out that this grievance cannot be due to any postman being new to the duty.

(*Answered by Mr. Sydney Buxton.*) I will have further inquiry made and acquaint my hon. friend with the result.

Christmas Labour at Bradford Post Office.

MR. JOWETT (Bradford, W.): To ask the Postmaster-General if he is aware that extra men are being engaged for the Christmas traffic at the Bradford office at 5d. per hour, and if the sum named is lower than it has been the practice to pay at the Bradford office to extra men for similar work.

(*Answered by Mr. Sydney Buxton.*) As I have stated in reply to other Questions in this House recently, the rates of pay for casual labour at Christmas will be based, as far as possible, on the rates recommended by the Select Committee for auxiliary service. Besides the fixed rate, the men receive special pay for night work, for Christmas Day, and Boxing Day, and get overtime pay where it has to be worked. The general net result of the alteration will be an increase in the total amount of pay. Under this scale the rate of pay at Bradford is 5¼d. an hour.

Court of Criminal Appeal.

MR. GODFREY BARING (Isle of Wight): To ask Mr. Attorney-General whether his attention has been called to the repeated expressions of opinion by the Lord Chief Justice and other Judges of the High Court that, in order to secure the full efficiency of the Court of Criminal Appeal, the Court should possess the power to order a new trial in certain cases; and whether he will consider the desirability of promoting legislation during the next session of Parliament to confer such power upon the Court of Criminal Appeal

(*Answered by Sir William Robson.*) The question as to whether or not the Court of Criminal Appeal should have power to order a new trial is, no doubt, one which gives rise to great differences of opinion among Judges. It was fully discussed in the debates preceding the passing of the Act, and I do not think it desirable to ask Parliament to reverse the decision at which it then arrived on such experience as the working of the Act has afforded up to the present time.

Estate Duty Office Clerks.

Mr. CARLILE (Hertfordshire, St. Albans): To ask the Secretary to the Treasury whether, seeing that the present salaries of the Second Division clerks in the Estate Duty Office may be taken to represent, on the average, the true worth and ability of the men, and that those clerks who are selected for promotion will be the more competent and meritorious of them, he will state on what grounds it is proposed that from and after their promotion to work which has hitherto been performed largely by fully-qualified solicitors, these men should be remunerated by salaries lower in the aggregate for some twenty years than the ordinary scale of second division pay.

(*Answered by Mr. Hobhouse.*) I have nothing to add to the replies which I gave to the hon. Member for St. Patrick's Division of Dublin and the hon. Member for Clapham on 13th July last, and on the 10th ultimo, to which I would refer the hon. Member.

Church Estates Commissioners Winchester Estates.

Captain BARING: To ask the hon. Member for the Crewe Division, as Church Estates Commissioner, whether he is aware that the road-making proposed for the benefit of the unemployed on the Commissioners' property in Winchester will cause the ejectment of eight allotment holders and serious disturbance of seventy-four others; whether he is aware that road-making could be carried out on other portions of the property which would cause no such disturbance, and, if so, what action he proposes to take.

(*Answered by Mr. Tomkinson.*) The Ecclesiastical Commissioners have not yet come to a decision as to the question of making roads at Winchester with a view to providing work for the unemployed, but if such a scheme is undertaken and would result in the disturbance of any allotment holders, that is a matter which has been foreseen and provided against. The allotment holders are in occupation of certain plots which they have been informed are amongst those most likely to be required at an early date for building purposes, but they have preferred to retain their tenancies of these plots until the necessity for disturbing them should actually arise, and on the understanding that in that event other land will be offered to them.

Captain BARING: To ask the hon. Member for the Crewe Division, as Church Estates Commissioner, whether he is aware that owing to the terms imposed by the Ecclesiastical Commissioners on their building land, which almost entirely surrounds Winchester, namely, the granting of leaseholds instead of the sale of the freehold, no building development has taken place even after roads have been made; and whether he proposes to take any steps in the matter.

(*Answered by Mr. Tomkinson.*) I am not aware that the course adopted by the Ecclesiastical Commissioners of granting leases for building as contrasted with selling the freehold has hindered building operations on their estates in Winchester; on the contrary, in the last few years no less than 22 acres of land have been let on leases for 999 years for building purposes; most of these lettings have been during the last two years, and I am informed that, although there is a considerable area of building land in the immediate vicinity of Winchester belonging to other owners, such building development as is taking place there is upon the Commissioners' property.

British Museum Extension.

Mr. BUTCHER (Cambridge University): To ask the First Commissioner of Works why the building operations for the extension of the British Museum in Montagu Place have, so far as the main structure is concerned, been suspended for nearly eighteen months; and when they are likely to be renewed.

(*Answered by Mr. Harcourt.*) The first contract for the lower storeys was completed in the autumn of 1907. The interval which has occurred between the completion of the first contract and the commencement of the second contract for the superstructure is due to protracted negotiations between the architect and the engineer which were necessary to the preparation of detailed drawings and specifications. Tenders have now been received for the superstructure and are under consideration. As soon as I am able to accept a tender the work will proceed forthwith.

Transfers of Excise Officers.

MR. SNOWDEN (Blackburn): To ask Mr. Chancellor of the Exchequer whether, during the present quarter, the removal of officers of Excise to other stations has been stopped by order of the Board of Inland Revenue; and whether in the new year the former practice of allowing officers to proceed to vacant stations for which they have applied or to exchange stations will be resumed.

(*Answered by Mr. Lloyd-George.*) The Answers to both parts of the Question are in the affirmative.

Payment of Pension Officers.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer whether the special payment to pension officers for the preliminary Old-age Pensions work will be made according to the number of pension claims as in the cases of postmasters and clerks to pension committees, or whether the whole circumstances of the work in the particular district will be taken into account.

(*Answered by Mr. Lloyd-George.*) The basis upon which the proposed gratuities are to be calculated has not yet been settled, but due regard will be had both to the quantity and quality of the work performed.

Fines on Inland Revenue Officers.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer if he will state if it is the practice of the Board of Inland Revenue to make deductions by way of fines from the salaries of its officers for alleged breach of official Regulations; and, if so, will he say by what authority the Board are empowered to violate the spirit and letter of the Truck Act.

(*Answered by Mr. Lloyd-George.*) Where circumstances warrant it, the Board of Inland Revenue punish breaches of Regulations by reducing the salaries of Inland Revenue officers; and I am advised that in such cases the Truck Acts do not apply.

Amalgamation of the Customs and Excise Departments.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer whether the arrangements for the amalgamation of the Excise and Customs Departments are yet completed, and when that amalgamation will come into force; whether there will be any reduction of the numbers of the outdoor staff of either Department subsequent to the amalgamation; and can an opportunity be given, before the details of the amalgamation are finally settled, to the outdoor officers to make representations to him by deputation.

(*Answered by Mr. Lloyd-George.*) No Order has yet been issued by His Majesty in Council transferring (in the manner indicated in Section 4 of the Finance Act, 1908) the management of Excise duties from the Commissioners of Inland Revenue to theCommissioners of Customs. The time for the final settlement of the details of amalgamation has not yet arrived, and I am not at present prepared to discuss them. I shall, however, be happy to consider any statement which the officers to whom the hon. Member refers may wish to lay before me, but I think the best course will be for such statement to be communicated to me in the first instance by letter.

Bavarian Hops.

MR. JOYNSON-HICKS: To ask Mr. Chancellor of the Exchequer if he is aware that hops are grown in Bavaria by small holders, and that these growths are purchased by a merchant and dried together and sold in England under the name of the district, the name of the actual grower being lost in the course of drying; and whether it is his intention, by the Bill now before Parliament, to insist on every bale, however small, being marked with the name of the actual grower.

(*Answered by Mr. Lloyd-George.*) I have been informed that hop culture in Germany is carried on mainly by small proprietors. The Bill now before Parliament provides that no hops shall be imported into the United Kingdom except in bags or pockets marked with the name of the owner, planter, or grower of the hops.

Pension Anomalies.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the Chancellor of the Exchequer whether, having regard to the anomalies that have arisen in the administration of the Old-age Pensions Act, he will appoint a small Departmental Committee to consider and report at the earliest moment what changes in the Act or Regulations, or both, will secure more reasonably the intentions of the Act, so that modified Regulations may be issued or an Amendment of the Act may be passed at the beginning of next session.

(*Answered by Mr. Lloyd-George.*) Most of the criticisms as to the working of the Act which have been brought to my notice have reference to substantive statutory provisions, which have not been, and cannot be, affected by the issue of Regulations; and the more important of them involve considerations of policy and finance which I do not think could usefully be dealt with by a Departmental Committee. These points are receiving the careful consideration of the Government.

Income-Tax Surveyors.

SIR F. CAWLEY (Lancashire, Prestwich): To ask the Chancellor of the Exchequer whether he is aware that whereas formerly the surveyor of income-tax, in settling the accounts under Schedule D, satisfied himself that the remunerations under Schedule E were properly accounted for, and was consequently the only official in possession of information regarding the latter, now such information must pass through the hands of the local assessor and staff, the clerk to the Commissioners and staff, the surveyors of taxes and staff, the Commissioners who sign the district Returns; whether he is aware that the information given under Schedule E, having to pass through so many hands, with the consequent fear of publicity, is extremely distasteful to many business firms and may lead to serious loss; and will he give an assurance that Returns under Schedule E cannot be lodged otherwise than through the local clerk, assessor, and surveyor, except in cases of a disputed assessment, the local Commissioner shall have no access to statements of profits or of emoluments of the taxpayer, and that even although the schedules of emoluments for the district have to be signed by the local Commissioner, such Commissioners cannot and do not see the contents of the volume to which they append their signatures.

(*Answered by Mr. Lloyd-George.*) Assessors, the district Commissioners of taxes, the clerks to Commissioners, the surveyors of taxes and their staff, who are all sworn to secrecy under Schedule D of the Income Tax Acts, must of necessity have access to the Returns and assessments under Schedule E, and it would be quite impossible to give the assurance asked for by my hon. friend. Any fears, however, that may be entertained as to publicity being given to the information contained in the Returns and assessments are quite groundless, effectual care being taken to safeguard the privacy of all returns made by taxpayers under Schedules D and E.

Land Tax.

MR. CLOUGH (Yorkshire, W.R., Skipton): To ask Mr. Chancellor of the Exchequer what is the amount of nett income that he receives from the land tax; whether the land tax is imposed upon the whole of the land in the United Kingdom; what is the valuation of that land and when was the valuation made;

what jurisdiction the Land Commissioners have with regard to this tax, and whether they can decrease or increase the rate of the land tax; in what year the land tax was first instituted; whether it then applied to the whole of the land in the United Kingdom; how the valuation was arrived at upon which it was imposed; what was the rate per cent. upon that valuation; and what year was the highest revenue ever received from this tax and what did it amount to.

(*Answered by Mr. Lloyd-George.*) The net receipt of land tax for 1907–8 was £710,000. All land in Great Britain (there is no land tax in Ireland) is liable to land tax except where the tax has been redeemed, and except in certain cases of land belonging to charities prior to 1693, and of property in the occupation of the Crown prior to 1798. The valuation varies from year to year, but as a rule the gross assessment under income-tax, Schedule A, is taken. The duty of the Land Tax Commissioners is to fix the assessment and to raise the tax due under the quota for each parish by an equal £ rate. By the Finance Act of 1896 the highest £ rate was fixed at 1s. and the lowest at 1d. The land tax was instituted in 1692. In that year it applied to England and Wales only; in 1707 it was made applicable to Scotland, but there had been a land tax or "cess" in the latter country prior to the Act of Union, subject to the exemptions which I have mentioned above. The rate by 4 Will. and Mary, c. 1 (1692), was 4s. in the £ on real estate assessed on the *bona fide* rack rent, and on personal estate 24s. per £100, or 4s. in the £ on £6 (the then legal rate of interest). The personal property to be rated was ready money, debts due, goods, wares, merchandise, or other chattels, or any personal estate in the realm. Stock on land and household goods were exempted. The highest revenue received from the tax was in the years 1760–5, when it amounted to £2,037,854 in each year. I may also refer my hon. friend to the 1st, 13th, 28th, 29th, 40th, 41st, 42nd, 43rd, and 45th Reports of the Board of Inland Revenue.

Cost of Tax Collections.

MR. WALTER ROCH (Pembroke): To ask Mr. Chancellor of the Exchequer if he can give the estimated cost per cent. of collecting the revenue derived from direct and indirect taxation, respectively.

(*Answered by Mr. Lloyd-George.*) The same revenue officers sometimes collect both kinds of revenue, and the separate cost therefore cannot be given.

Pension Officers and the "Civilian."

MR. BARRIE (Londonderry, N.): To ask Mr. Chancellor of the Exchequer whether he is aware that certain Excise officers acting as pension officers, on request from the editor of the *Civilian*, furnished him with the total number of claimants in their districts, and have been fined £10 each for so doing; and whether, seeing that the total number of claimants is known to all members of local committees, has in many cases been published in local newspapers, and is generally public property, he will reconsider his action in the matter.

(*Answered by Mr. Lloyd-George.*) I must refer the hon. Member to the reply which I gave on the 3rd instant to the hon. Member for Blackburn.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer whether the regulation under which the Board of Inland Revenue have fined certain pension officers £10 each for communicating to a service paper the number of claims received by them is a regulation common to the whole Civil Service; if so, does he propose to take any action to punish officials in other Departments for communicating similar information to the Press; whether he will issue a Treasury regulation rendering clerks to pension committees liable to a fine of £10 for giving information to the Press; and, if not, why is different treatment to be accorded to officials engaged in the same work.

(*Answered by Mr. Lloyd-George.*) As regards unauthorised communications made to the public Press by Civil servants, I beg to refer the hon. Member to Treasury Minutes of 3rd June, 1873; 6th February, 1875; and 13th March, 1884, published in Command Paper 3951, of 1884. The clerks to pension committees are under the control of the committees, and not of the Treasury. I should add that the paper to which the hon. Member refers is a registered newspaper owned, controlled, and carried on privately, and has no official *status*.

Territorial Cyclist Battalions.

MR. CARLILE: To ask the Secretary of State for War what is the number of Territorial cyclist battalions recognised; where are their head-quarters located; how many members of each battalion were trained in camp this year; and what is the strength of each battalion at the present time.

(*Answered by Mr. Secretary Haldane.*) The latest information available is as follows—

Territorial Force, Cyclist Battalion.

Recognised Units.	Head-quarters.	Strength on 1/10/08 (exclusive of Permanent Staff).		Number who attended Camp (exclusive of Permanent Staff).		Establishment.	
		Officers.	N.C.O.'s and Men.	Officers.	N.C.O.'s and Men.	Officers.	N.C.O.'s and Men.
Highland Cyclist Battalion - -	Birnam	16	277	13	231	20	502
10th Battalion Royal Scots -	Linlithgow	20	414	14	371	20	502
7th Battalion Welsh Regiment	Cardiff	9	279	9	232	20	502
Northern Cyclists Battalion:							
Northumberland Companies -	Newcastle	5	75	—	—	—	—
Durham Companies - -	Durham -	2	178	2	152	—	—
5th Battalion East Yorkshire Regiment - -	Hull - -	5	425	5*	395†	20	502
7th Battation Devonshire Regiment - -	Exeter	6	238	6	200	20	502
6th Battalion Norfolk Regiment -	Norwich	8	322	8	299	20	502
Essex and Suffolk Cyclist Battalion	Leyton	10	297	8	256	20	502
Kent Cyclist Battalion - -	Maidstone	7	201	6	179	20	502
25th Battalion County of London - - -	Putney Bridge	20	375	20	323	20	502
	Totals -	108	3,081	91*	2,638†	200	5,020

* Two attached. † Five attached.

Singapore Fortifications.

MR. GOULDING (Worcester): To ask the Secretary of State for War whether he is aware that the big guns in the fortification at Singapore have been dismantled; and if he can state when it is proposed to replace these guns by new ones.

(*Answered by Mr. Secretary Haldane.*) The old pattern guns have been dismounted, but a certain number have been retained in their present works until new guns can be mounted. The new works for the new guns have been commenced.

Territorial Officers' Outfit Allowance.

CAPTAIN FABER: To ask the Secretary of State for War if he will state how many officers of the Territorial Force have since 1st April applied for the outfit allowance under paragraphs 404–5; and how many of those who have applied have received the grant.

(*Answered by Mr. Secretary Haldane.*) 365 grants under paragraph 404 are reported to have been applied for, and 314 have been paid. Very few grants have been applied for under paragraph 405.

Advances to Army Pensioners.

MR. SNOWDEN: To ask the Secretary of State for War if, in view of the decision of the Local Government Board that advances made by boards of guardians to Army pensioners between quarterly pension days, such advances being deducted from the pension by the Army authorities, disqualify for an old-age pension, he will consider the desirability of paying Army pensions weekly.

(*Answered by Mr. Secretary Haldane.*) As I have already stated, arrangements have been made by which any pensioner who so desires may have his pension paid to him weekly through any responsible person willing to undertake the duty. This arrangement should meet the disability referred to by the hon. Member. I may remind him that I have undertaken that the general question of weekly payments through the Post Office will be further considered when the arrangements for the payment of old-age pensions are in working order.

Pimlico Clothing Factory Wages.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Secretary of State for War whether he can state what difference, if any, is paid for cutting garments at the Pimlico Clothing Department when such are for stock, and also when they are special measure sizes; and whether, in the event of the cutters being paid day-work, what is the percentage of allowance, if any, allowed to the cutting of measures as compared with the cutting of stock sizes.

(*Answered by Mr. Secretary Haldane.*) Cutting in the Royal Army Clothing Department Factory is carried out by time and not by piece-work. No question, therefore, of allowance arises.

Territorial Subalterns' Certificates.

MR. CARLILE: To ask the Secretary of State for War whether it is intended that a subaltern in the Territorial Force who has obtained as a Volunteer a captain's certificate at a school of instruction within ten years of the present time, and who has frequently in the interval had to drill, manœuvre, command, and administer a company, should be required to obtain a captain's certificate a second time at a school of instruction on promotion to the rank of captain.

(*Answered by Mr. Secretary Haldane.*) A subaltern, unless he has qualified in the corresponding arm of the Regular Forces, Militia, Imperial Yeomanry, or Volunteers within three years of his appointment to the Territorial Force, will be required to qualify under the Territorial Force regulations for the rank of captain before promotion to that rank. Subject to the above proviso, he may count towards qualification for promotion to the rank of captain any course he may have undergone previously to his transfer.

Precautions against Syphilis in the Army.

MR. LUPTON: To ask the Secretary of State for War whether he has received a letter drawing his attention to a suggestion of Surgeon N. Howard

Mummery, M.R.C.S., R.N., that in the near future men, on joining the service, will be vaccinated against syphilis at the same time and in the same way as they are now vaccinated against small pox, and asking for an assurance that no man on entering the Army shall incur the risk of compulsory blood-poisoning with syphilis passed through apes; whether he gave that assurance, or, if not, whether he can state why it was withheld; and whether he is willing to lay the whole correspondence relating to this subject upon the Table.

(*Answered by Mr. Secretary Haldane.*) A letter to this effect was received by the War Office, and the writer was informed that no proposal of the nature indicated therein had been under consideration in the War Office. I have nothing to add to this reply, and I have no intention of laying correspondence of this character upon the Table of the House.

Territorial Subalterns' Certificates.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War whether it is necessary for a subaltern of the Territorial Force who has attended a month's course at a school of instruction or depot, and satisfied the commandant and adjutant, to also attend for examination at the head-quarters of the division, of which his corps is part, before receiving his certificate and qualifying to command a company.

(*Answered by Mr. Secretary Haldane.*) It is necessary for a subaltern so situated to pass the examination for Certificate B before promotion to the rank of captain. This examination is held at times and places settled by General Officers Commanding-in-Chief of the various commands.

Hop Industry.

SIR W. J. COLLINS: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what action the Board propose to take with a view to carry out the recommendations of the Select Committee on the Hop Industry with a view to securing better information as to produce, prices, acreage, condition of the industry, etc., in hop-growing countries abroad, and also with a view to giving to growers the latest and most scientific information available as to the cultivation, drying, and curing of hops grown in this country.

(*Answered by Sir Edward Strachey.*) The Board recognise the importance of the subject, and have now under consideration proposals for obtaining through our consuls and by other means information of the kind indicated by the Select Committee. They propose publishing this information in their journal, and, where the matter is suitable, in their special series of leaflets.

Eviction for Applying for a Small Holding.

MR. MORRELL: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been called to the case of Mr. George Jones, a carrier, living at Drayton St. Leonards, near Oxford, who on 23rd November was threatened with eviction from his cottage, and the consequent loss of his living, on account of his having applied for land under the Small Holdings Act; whether he is aware that Mr. Allnutt, the farmer who used these threats, has already a separate farm of nearly 300 acres, in addition to the piece of land of 85 acres of which it is proposed to take a part for the purpose of the Small Holdings Act, and that, after the date of Mr. Jones' application, he made arrangements to have the cottage occupied by Mr. Jones let to him as part of his farm, presumably in order to exercise this pressure and thus prevent the working of the Act; whether he has yet made inquiries into the matter; and what steps he proposes to take.

(*Answered by Sir Edward Strachey.*) The President has had inquiry made into this case, and he very greatly regrets to find that the facts are substantially as stated in the Question, and that in order further to intimidate this applicant for a small holding Mr. Allnutt, of Drayton, threatened to run a carrier's business to compete with the applicant's business. Steps are being taken with a view to provide this applicant with a holding without delay, and if land for the purpose cannot be obtained voluntarily the President will see that it is obtained compulsorily.

Record of Owners of Land.

Mr. EVERETT (Suffolk, Woodbridge): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what is the number of owners of land in the United Kingdom.

(*Answered by Sir Edward Strachey.*) I regret that I am unable to supply the information for which my hon. friend asks, as there are no Returns showing the number of owners of land at the present time.

Milford Pension Claimant.

Mr. FLYNN (Cork, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland, as representing the Local Government Board, whether the attention of the Board has been called to the hardship inflicted on John Jordan, labourer, Milford, County Cork, seventy-three years of age, by his claim to a pension being disallowed by the Kanturk sub-committee; that the reason alleged for disallowance was that he received 2s. 6d. medical relief for each of two weeks in July last; and, in view of the fact that this old man, who is now unable to work, was never in the workhouse and never received Poor Law help in any shape whatever, whether the Board will review the case if the 5s. received by him as medical relief is refunded to the guardians.

(*Answered by Mr. Birrell.*) This case has not come before the Local Government Board, but neither the Board no the pension committee have power to set aside the provisions of the Old-Age Pensions Act, and the repayment of the relief mentioned will not remove the statutory disqualification.

Earl of Ranfurly's Tyrone Estate.

Mr. KETTLE (Tyrone, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state, with regard to the estate of the Earl of Ranfurly in County Tyrone, sold under the Land Purchase Act of 1903, if the land has yet been vested in the purchasing tenants; if he is aware that prior to the sale the drains and streams on the estate were kept clean by the landlord, and that since the sale these drains and streams have been neglected, to the detriment of many of the purchasers; and does the Land Commission possess power to intervene for the protection of those injured by the present neglect.

(*Answered by Mr. Birrell.*) Part of this property has been vested in the tenant purchasers, and part has not yet been vested. The cleansing of the watercourses would appear to be a matter for voluntary co-operation on the part of the tenant purchasers. The Land Commission have not, as far as I am aware, any power to intervene as suggested.

Kildress Evicted Tenant.

Mr. KETTLE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether an application for reinstatement has been received by the Estates Commissioners from William Lagan, an evicted tenant, who formerly had a holding near Kildress, County Tyrone, on the estate of Colonel Irvine, of Omagh; and what steps have been taken towards his reinstatement.

(*Answered by Mr. Birrell.*) This application has not yet been inquired into, as it was not received by the Estates Commissioners within the time specified in the Evicted Tenants Act.

Ballylongford Untenanted Lands.

Mr. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the untenanted lands situate near Ballylongford, North Kerry, have been offered for sale to the Estates Commissioners by Mr. J. D. Crosbie; whether the lands have been inspected and reported upon; and when may the small holders and labourers of the district hope to have this untenanted land divided amongst them.

(*Answered by Mr. Birrell.*) The formal proposal of the Estates Comissioners for the purchase of this estate has been accepted, and the case has been referred to an inspector to prepare a scheme for the distribution of the untenanted lands.

Land Purchase in North Kerry.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of holdings, acreage, valuation, rental, purchase money, and years purchase for all agreements lodged up to 31st October, 1908, under the Land Purchase Act, 1903, in the Parliamentary division of North Kerry.

(*Answered by Mr. Birrell.*) The statistics of land purchase are not tabufated by Parliamentary divisions. I am therefore unable to give the information asked for in the Question.

Uneconomic Holdings in Kerry.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of the number of labourers and uneconomic holdings on the Lindsey Talbot Crosbie estate in and around Ardfert and district; and whether these people's claims have been or will be considered before any scheme is sanctioned for the division of the untenanted lands bought by the Estates Commissioners from Mr. L. T. Crosbie.

(*Answered by Mr. Birrell.*) The owner has not sold these lands to the Estates Commissioners, but is selling them himself to persons coming within Section 2 of the Irish Land Act, 1903.

Newtownards Guardians and the Bible.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a committee appointed by the Newtownards Board of Guardians submitted a report on the 10th instant to the effect that no Protestant inmate will be allowed to receive from his or her friends a copy of the Bible, or from other outsiders, without the sanction of a chaplain being first obtained; and whether, in view of the character of such a recommendation, he will cause inquiries to be made with the view of having that part of the report deleted.

(*Answered by Mr. Birrell.*) The report referred to recommended that no visitor should be allowed to give any literature directly to a patient, that non-religious literature intended for a patient should be delivered by the master of the workhouse, and that religious literature should only reach a patient through the chaplain in charge of him. The guardians are preparing draft rules as to visiting and the distribution of literature which will receive the attention of the Local Government Board when submitted.

Hussey Estate, Rathkenny.

MR. PATRICK WHITE (Meath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland under what section of the Land Act of 1903 the Estates Commissioners advanced over £4,000 to Mr. Tiernan, to purchase land which he held on the eleven months system on the estate of the Trustees of Hussey, situate at Rathkenny, County Meath.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that Tiernan held 19 acres as a tenant on the Hussey estate. This holding with the additional land referred to were sold to him under Section (1) (*a*), the first proviso of subsection (2) of the same section, and under Section 5 of the Irish Land Act, 1903.

Ballycahill Evicted Tenant.

MR. KENDAL O'BRIEN (Tipperary, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the case of William Maher, an evicted tenant, of Ballycahill, near Thurles, County Tipperary, who has made an application for an equivalent farm, has been considered by the Estates Commissioners; and, if so, when is this tenant likely to be put into possession.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received the application referred to; but they are not in a position at present to say when the applicant will be put into possession of a holding.

Crossakiel Evicted Tenant.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Luke Caffrey, Diamor, Crossakiel, has applied for a holding on the land of Thomastown, County Meath; and whether his application will be favourably considered.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received an application from Luke Caffrey for portion of the untenanted lands referred to. They will consider the application, with others of a like nature, when the lands are being dealt with.

Thomastown Lands for Evicted Tenants.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in the distribution of the lands of Thomastown, County Meath, the Estates Commissioners will have regard to the claims of Mrs. Anne M'Cabe and Mrs. Margaret Holden, who have lodged applications as evicted tenants.

(*Answered by Mr. Birrell.*) These applications will be considered by the Estates Commissioners in connection with the allotment of the lands mentioned.

Singleton Estate Evicted Tenant.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps the Estates Commissioners propose to take to supply Owen Kirk, an evicted tenant on the estate of Admiral Singleton, County Meath, with an equivalent farm to that from which he was evicted; and what objection there is to acquire compulsorily the farm from which he was evicted and reinstate him.

(*Answered by Mr. Birrell.*) The Estates Commissioners hope to be able to supply Kirk with a holding at an early date. As regards the concluding portion of the Question, it would be contrary to the established practice to state the reasons which actuate the Commissioners in the exercise of the discretion vested in them under the Evicted Tenants Act.

Irish Constabulary.

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the intentions of the Irish Government with regard to constabulary legislation; whether members of the force have signified their disappointment with the terms of the Bill; and whether he will consider the desirability of appointing a committee of inquiry to investigate the claims of the rank and file, and to see how far the cost of the force may be curtailed in other directions in order to meet an increased expenditure.

(*Answered by Mr. Birrell.*) The Government are proceeding with the Constabulary (Ireland) Bill. No doubt the members of the force would like to have had better terms, but I have no reason to suppose that the force in general are disappointed with the terms of the Bill. It is not intended to appoint a committee of inquiry.

State Purchase of Irish Railways.

MR. PATRICK O'BRIEN (Kilkenny): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has yet received from Mr. Gerald Balfour the estimates for the cost of purchase of Irish railways by the State, and the cost of guaranteeing dividends to the shareholders for the State working and control of the railways, which Mr. Gerald Balfour, when Chief Secretary for Ireland, obtained from Mr. Thomas Robertson, late chairman of the Board of Works, Ireland; and whether he will give the figures.

(*Answered by Mr. Birrell.*) The answer is in the negative.

Cashmir Outrage.

MR. REES (Montgomery Boroughs): To ask the Under-Secretary of State for India whether he can give the House any information regarding the case of the European nurse girl who was reported to have been outraged by the native driver and guard of the mail cart while travelling into Cashmir.

(*Answered by Mr. Buchanan.*) The Secretary of State has no official information on the subject.

French Burmah Petrol Duties.

MR. OWEN PHILIPPS (Pembroke and Haverfordwest): To ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the fact that petrol produced in Burmah in which British companies are concerned, both in the production and transport, has to pay a prohibitive duty when imported into France, whilst petrol produced in the United States, Roumania, and Russia is admitted to France at a much lower duty; and whether he will communicate with the French Government on the subject, with a view to secure to Burmah the most-favoured-nation treatment.

(*Answered by Secretary Sir Edward Grey.*) Yes, Sir; and His Majesty's Government have already communicated with the French Government on the subject.

(*Answered by Mr. Buchanan.*) The matter has already formed the subject of communications between His Majesty's Government and the French Government. It has been ascertained that the latter are unwilling to admit Indian petrol to the minimum tariff except on the condition that some concession is made in the Indian import tariff to French imports. The Indian Government have not seen their way to meet this suggestion, as imports from France into India already enjoy most-favoured-nation treatment.

Singapore Convent Scheme.

MR. SLOAN: To ask the Under-Secretary of State for the Colonies whether the British Government has recently accepted plans for the building of a convent and schools in Singapore and have made a grant of £60,000 towards the cost of construction; and, if so, will he explain on whose representations and on what grounds such grant has been made.

(*Answered by Colonel Seely*) I have no information as to any such proposal, but I may say at once that it is to th last degree unlikely that a grant of £60,000 would be recommended by the Governor of the Colony, and it certainly would not be approved by the Secretary of State.

Cause of Uganda Famine.

MR. CORRIE GRANT (Warwickshire, Rugby): To ask the Under-Secretary of State for the Colonies whether the recent famine in Uganda (as described in Cd. 4358) was largely due to the destruction of the native food crops by great herds of fierce wild pigs; whether the native hunters failed to keep them down; and whether, therefore, he will accept for this purpose the assistance (if it is offered) of English, Colonial, or American hunters.

(*Answered by Colonel Seely.*) It seems probable that the famine was rather aggravated than caused by the wild pigs to which my hon. friend refers. The inability of the native hunters to cope with them was partly due to their enfeebled condition resulting from the famine, partly to the length of the grass at that season. The Governor reported on 19th September that he was organising a crusade against these animals, and no doubt he will avail himself of the assistance of any competent persons who may offer their services.

National Telephone Company's Staff.

MR. STEADMAN (Finsbury, Central): To ask the Postmaster-General if he can state how and to what extent, if at all, the seniority of the London sorting force is likely to be affected by the transfer of the staff of the National Telephone Company to the Post Office in 1912; and, what claim, if any, has the National Telephone staff on the Postmaster-General which has caused him to issue a warning to his present staff, already civil servants, that the latter's prospects are likely to be affected.

(*Answered by Mr. Sydney Buxton.*) It is not yet possible to state how the various questions will be solved which are likely to arise in regard to the relative status and seniority of the staff now employed in the Post Office and that to be taken over from the National Telephone Company. The London sorting force, however, will be in no way affected. As it is certain that questions of difficulty will arise, I thought it right to issue a general warning to new entrants and officers newly promoted that their seniority might be affected. At the same time I stated definitely that every care would be taken to prevent hardship.

Holywood (Down) Postmen's Petition.

MR. SLOAN: To ask the Postmaster-General if, about a year ago, he received a petition from the postmen in Holywood, County Down, Ireland, in regard to their position as to certain allowances or benefits which are allowed to postmen in special circumstances; and whether he has come to any, and, if so, what, decision in regard to the matter.

(*Answered by Mr. Sydney Buxton.*) I have received a petition from the postmen at Holywood asking for a higher scale of pay. I hope to publish the classification of the sub-offices shortly.

Achill Island Postal Arrangements.

DR. AMBROSE (Mayo, W.): To ask the Postmaster-General whether he is aware that inconvenience is caused to the inhabitants of Achill Island owing to the non-delivery of letters on Sunday; and would he see that a Sunday delivery is established.

(*Answered by Mr. Sydney Buxton.*) There is a serious loss to revenue on the existing postal service to Achill Island, and I should not be justified in sanctioning the additional expense of a Sunday delivery.

Post Office Life Insurance.

SIR WALTER FOSTER (Derbyshire, Ilkeston): To ask the Postmaster-General whether, in view of the fact that the Departmental Committee on Post Office Life Insurance had no expert evidence from actuaries, and none of the industrial assurance companies or collecting friendly societies gave any evidence, and the Parliamentary Labour Party, although invited to give evidence, did not do so, he will, before any action is taken or recommended, make inquiries as to the effect which the conversion of the Post Office into an industrial assurance society is likely to have upon the earnings of the 80,000 men whose livelihood at present depends upon the commission which they earn in that business; and whether he has made any inquiries as to the average amount of the existing industrial policies issued by industrial assurance companies and collecting friendly societies.

(*Answered by Mr. Sydney Buxton.*) The Report of Lord Farrar's Committee is under consideration. I fully recognise the importance of the questions involved in the relationship between the Post Office and the industrial assurance companies. I may add that an Act of Parliament would be necessary to give effect to several of the Committee's recommendations.

Gateshead Distress Schemes.

MR. J. JOHNSON (Gateshead): To ask the President of the Local Government Board whether the Gateshead District Committee (statutory) has applied to the Local Government Board for a grant to carry out a scheme or schemes in order to cope with the present local unemployment and distress; if so, what was the nature of the reply; and is there at present any application under consideration by the Board.

(*Answered by Mr. John Burns.*) The distress committee have applied to me for a grant to enable them to assist genuine cases of distress, but they have not submitted any scheme for providing work for the unemployed. I have stated that if they submit a scheme of useful work and furnish certain particulars for which I have asked I am ready to consider their application for a grant.

River Pollution.

MR. HARMOOD-BANNER (Liverpool, Everton): To ask the President of the Local Government Board whether it is possible to enforce Clause 8 of the Rivers Pollution Act, 1876, without further legislation, and increase the amount of work to meet the needs of unemployment.

(*Answered by Mr. John Burns.*) I think the reply to the Question must be in the negative.

Atlantic Cables Damaged by Trawlers.

MR. BOLAND (Kerry, S.): To ask the Vice-President of the Department of Agriculture (Ireland) whether his attention has been called to the damage caused to the Atlantic cables by the fishing operations carried on by trawlers off the coast of Kerry, near Ballinskelligs; and whether he will consult with the Postmaster-General as to the best methods of protecting these cables.

(*Answered by Mr. Sydney Buxton.*) I will answer this Question, and I would refer the hon. Member to the reply which I have given to the starred Question which he has addressed to me to-day on the subject.

Saccharine.

Mr. OWEN PHILIPPS (Pembroke and Haverfordwest): To ask the Under-Secretary of State for the Home Department whether his attention has been drawn to the fact that saccharine is coming into more general use in the manufacture of many articles of food; and whether the Government proposes to take any action to safeguard the public against this drug being used in the preparation of articles of food.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer this Question. My attention has been called to the use of saccharine in food products; but I am not at present in possession of evidence which would warrant steps being taken with the object of prohibiting its use in all foods on grounds of public health. If, however, cases are brought to my notice in which the nutritive value or genuineness of particular foods has been materially impaired by the substitution of saccharine for sugar, I will consider the matter further.

Cheap Trains Act.

Mr. BOWERMAN (Deptford): To ask the President of the Board of Trade if it is intended next year to introduce legislation amending the Cheap Trains Act, 1885, in agreement with the promise given last year by his predecessor.

(*Answered by Mr. Churchill.*) I am not at present in a position to make any statement as to the legislative proposals to be made next session.

Promotion in the Customs.

Mr. McARTHUR (Liverpool, Kirkdale): To ask the Secretary to the Treasury whether the salary grievances caused by retardation of promotion in the past and the absence of reasonable prospects of promotion in the future, as represented by deputations of examining officers, second class, to the Board of Customs on 6th November, 1907, and to the Financial Secretary to the Treasury on 25th June, 1908, are to be redressed by the concession of a service scale of pay; if the present classification is to be continued, what provision is to be made for the advancement of those examining officers who have performed twenty-five years service, and are still waiting for the opportunity of qualifying for the grade of examining officer, first class; whether examinations for advancement to that grade are in future to be held annually in April, as prescribed by the regulations; and, in that event, will he state the number of vacancies estimated to occur in the first class in the years 1909, 1910, 1911, and 1912, respectively.

(*Answered by Mr. Hobhouse.*) As I explained to the hon. Member, in answer to his Question of 13th May last, I intend to deal with these matters at the same time that the arrangements required by the transfer of the Excise staff to the Customs service come under review. I hope to be able to give my attention closely to this subject in the early part of next session, but meanwhile, I regret that I am unable to make any announcement.

Agricultural Expenditure.

Mr. BARNARD (Kidderminster): To ask the Secretary to the Treasury if he will state the net annual expenditure for the last six known financial years of the English and Irish Agricultural Departments, respectively.

(*Answered by Mr. Hobhouse.*) I would refer my hon. friend, as regards voted expenditure, to the Appropriation Accounts annually presented to this House, and as regards the Endowment Fund of the Department of Agriculture (Ireland), to the Annual General Report of the Department.

Fair Wages Government Contract Inquiry.

Mr. BOWERMAN: To ask the Secretary to the Treasury if he can state when Members will have an opportunity of seeing the Report prepared by the Inter-Departmental Committee recently inquiring into the manner in which the Fair Wages Resolution of the House of

Commons of February, 1891, has been observed by the various contractors for Government work.

(*Answered by Mr. Hobhouse.*) I hope in a very few days.

Deferred Pay.

MR. RUPERT GUINNESS (Shoreditch, Haggerston): To ask the Secretary to the Treasury what steps the Government propose to take in accordance with the undertaking given by the Treasury in February, 1908, to propose legislation to amend the law as to superannuation in the Civil Service upon the lines recommended by the Courtney Commission.

(*Answered by Mr. Hobhouse.*) I would refer the hon. Member to the reply given by the Prime Minister to a similar Question on the 6th ultimo, in which he stated that he hoped that the Bill might be introduced next session.

School Teachers.

MR. ARMITAGE (Leeds, Central): To ask the President of the Board of Education whether he will say what proportion of teachers employed in public elementary schools during the year ending 31st July, 1908, were trained and certificated, respectively.

(*Answered by Mr. Runciman.*) 31·28 per cent. were trained certificated teachers and 58·45 per cent. were certificated.

School Attendance.

MR. ARMITAGE: To ask the President of the Board of Education if he will state the number of places provided in council schools on 31st July, 1908, the number of children on the register at the same date, and the number in average attendance; and if he will give the like information with regard to Anglican, Roman Catholic, Wesleyan, Jewish, British, and other schools.

(*Answered by Mr. Runciman.*)—

Ordinary Public Elementary Schools maintained by Local Education Authorities. Year ended 31st July, 1908.

	Accommodation.	Average number of scholars on registers.	Average attendance.
Council - - - - -	3,766,824	3,318,294	2,939,100
Church of England - - -	2,624,789	2,099,094	1,857,257
Roman Catholic - - -	401,595	332,034	285,949
Wesleyan - - - -	105,664	91,400	79,754
Jewish - - - - -	10,755	10,468	9,761
Others (including British) -	161,391	125,857	110,258
Total - - -	7,071,018	5,977,147	5,282,079

School Fees.

MR. ARMITAGE: To ask the President of the Board of Education whether he will state the average number of children paying fees in public elementary schools during the year ending 31st July, 1908.

(*Answered by Mr. Runciman.*) The number of fee-paying scholars on the registers on the last day of school years in the statistical year ended 31st July, 1908, was 163,841.

Customs and Excise Amalgamation.

MR. KETTLE: To ask Mr. Chancellor of the Exchequer whether the failure of the attempt made in 1882 to bring about a closer union between the Customs and the Excise was due to the continued opposition of the higher officials in the former Department; whether the higher officials in the Customs receive larger salaries and have less arduous duties than the corresponding officials in the Excise; and whether he will afford an opportunity to those examining officers of Customs who believe that an Excise classification would remove most of their grievances, without any increase in the Revenue Estimates, to place before him such facts as might tend to facilitate the amalgamation of the two Departments.

(*Answered by Mr. Lloyd-George.*) I have no information before me which bears out the suggestions made in the first and second paragraphs of the Question. But I should welcome any plan which will facilitate the economical amalgamation of the Departments of Customs and Excise, and if the officers referred to by the hon. Member will place their views before me in writing I shall be happy to consider them.

Pension Statistics.

Mr. STAVELEY-HILL (Staffordshire, Kingswinford): To ask Mr. Chancellor of the Exchequer whether he can state the number and percentage of applications received in Ireland for old-age pensions from persons occupying land, distinguishing between the cases of the occupying tenants and occupying owners.

Sir CLEMENT HILL: To ask Mr. Chancellor of the Exchequer how many persons owning or occupying holdings of two acres or more have applied for and qualified for old-age pensions.

(*Answered by Mr. Lloyd-George.*) I may perhaps be allowed to take these two Questions together. I am not in possession of the information for which the hon. Members ask; and, in view of the pressure of the old-age pensions work, I do not feel justified in requiring the pension officers to obtain it at the present time.

Pensions and Poor Law Relief.

Mr. L. HASLAM (Monmouth Boroughs): To ask Mr. Chancellor of the Exchequer whether, under the Old-Age Pensions Act, a person having received Poor Law relief during 1908, and precluded thereby from the benefits of the Act during the following year, will be precluded from its benefits during the year 1910, if he has not received Poor Law relief during 1909.

(*Answered by Mr. Lloyd-George.*) Under the law as it stands at present such a person would be disqualified until 31st December, 1910. After that date he would be eligible for a pension.

Income-Tax on Colonial Investments.

Mr. HARMOOD-BANNER: To ask Mr. Chancellor of the Exchequer if his attention has been called to the many companies registered in this country as limited the whole of whose business and transactions are conducted in the Colonies thus entailing upon Colonial shareholders the payment of double income-tax, first, upon the profits made in the Colonies to the Colonial authorities, and, second, upon the dividends paid in Great Britain to the authorities here; and whether, in view of the hindrance to the investment of Colonial capital in British limited companies in consequence, he will consider if any measures can be taken to remove the difficulty of double payment of income-tax.

(*Answered by Mr. Lloyd-George.*) As regards the general point raised by the Question, I may perhaps be allowed to refer the hon. Member to my Answer of 2nd November last to a Question by the hon. Member for Donegal, East. I should, however, be happy to investigate any particular case the hon. Member may have in mind.

Income-Tax Surveyors and Private Balance Sheets.

Mr. HARMOOD-BANNER: To ask Mr. Chancellor of the Exchequer if he will state under what powers the surveyors of taxes and Income-Tax Commissioners are authorised to insist on retaining balance sheets and accounts in addition to requiring the production, as explained in the reply of 28th February, 1907.

(*Answered by Mr. Lloyd-George.*) In the event of an appeal to the District

Commissioners of Taxes, all statements of accounts, balance sheets, etc., delivered in answer to their precept in the course of the prosecution of such appeal become, with the returns and other papers relating to income-tax, the property of the Commissioners.

Female Income-Tax Payers.

Mr. COOPER (Southwark, Bermondsey): To ask Mr. Chancellor of the Exchequer whether, in the Return of persons paying inhabited house duty or property and income-tax, any distinction is made between men and women; and, if so, will he give the number of women paying these taxes and the amount of money paid by them.

(*Answered by Mr. Lloyd-George.*) No such distinction as that referred to in the Question is made.

Mr. TIMOTHY DAVIES (Fulham): To ask Mr. Chancellor of the Exchequer if he will state the number of claims under the Old-Age Pensions Act received up to date; and whether he will give the number investigated, the number allowed, the percentage refused of those investigated, and the number still to be inquired into.

(*Answered by Mr. Lloyd-George.*) The following table shows the progress made by pension officers up to the 5th instant, the latest date to which figures are available—

	Received.	Investigated and recommended for pension by pension officers.	Investigated and not recommended for pension.	Considered ineligible and not investigated (paragraph 55, Instructions).	In hand, partially investigated.	In hand, investigation not commenced.
England, excluding Monmouthshire - -	383,611	290,085	23,531	5,360	45,422	19,213
Wales and Monmouthshire - -	25,665	19,329	1,860	642	2,824	1,010
Scotland -	71,616	53,305	3,592	669	9,984	4,066
Ireland - -	209,135	127,309	13,175	2,524	47,373	18,754
Total -	690,027	490,028	42,158	9,195	105,603	43,043

I have no statistics as to the work accomplished by the committees, and I am, therefore, unable to state the numbers allowed and refused, respectively, by them.

Civil Employment for Ex-Soldiers and Sailors.

Mr. CLAVELL SALTER (Hants, Basingstoke): To ask the Secretary of State for War what steps have been taken to carry out the recommendations on pages 29 and 30 of the Report of the Committee on Civil Employment of ex-Soldiers and Sailors.

(*Answered by Mr. Secretary Haldane.*) Creation of an Association for the Employment of ex-Soldiers and Sailors.

Since this suggestion was made, the circumstances have been altered by the fact that the Territorial and Reserve Forces Act imposes upon the County Associations the duty of undertaking "the care of reserve and discharged soldiers." The steps necessary for carrying out this work are at present the subject of careful consideration.

Employment in Government Departments.

A circular letter has been addressed to the various Government Departments enclosing a list of appointments for which the Committee thought that ex-soldiers might be eligible. There has been, in consequence, an increase in the number of applications from these Departments for the employment of ex-soldiers as pensioner messengers.

Reckoning of Army Service for Civil Superannuation.

This Question has been carefully considered, but it has not been found possible to accede to these recommendations.

Consideration to be given to Army Service on discharges on Reduction of Establishment.

This was fully considered, but, having regard to all the circumstances of the case, it was not deemed advisable to make a change in the direction contemplated.

Employment by County and Borough Councils.

The duty of approaching these councils with a view of their employment of ex-soldiers where possible will now devolve upon the County Associations. Many councils have met the wishes of the War Department in this matter.

Technical Instruction of Soldiers.

The steps taken to give effect to these recommendations are detailed in Command Papers, 3511, of 1907, and 4059, of 1908.

Emigration.

Regard is had to the necessity of fitting men for emigration in the courses of technical instruction devised by the various local committees.

Lectures.

Several lectures have been given with a view to interesting soldiers in the question of their future employment, and arrangements are being made for further lectures to be given during the next few months.

Character.

The form of character has been altered in the direction contemplated by the Committee.

Thrift.

A trial was given to the scheme suggested by the Committee for inducing soldiers to make use of the savings banks, but it was found that they preferred to deposit the money themselves.

Friendly Societies.

One of the friendly societies has recently, at the instance of the War Office, made arrangements which should especially meet the needs of soldiers who elect to join as members.

Payment of Pensions.

Although it has not been found possible to adopt the recommendations of the Committee in their entirety, or those of the further Committee which was subsequently appointed to deal with this subject, steps have been taken to meet those cases in which a more frequent payment is found to be desirable.

Royal Engineer Volunteers.

SIR GEORGE McCRAE (Edinburgh, E.): To ask the Secretary of State for War whether units of Royal Engineers (Volunteers) allotted to coast defences formerly received an annual allowance of practice small-arm ammunition, at the rate of ten rounds of ball cartridge, ten rounds blank cartridge, and twenty-five rounds aiming tube, per man; whether these allowances have been withdrawn from Territorial units of Royal Engineers allotted to coast defences, so that men belonging to these units who wish to practice shooting must now pay for all the ammunition they use; and whether these units are not supposed to be capable of defending themselves, or, if they are, when it is proposed that they should receive instruction in musketry, seeing that they would be the first troops mobilised in the event of threatened invasion and would be stationed at places where no facilities for practice exist.

(*Answered by Mr. Secretary Haldane.*) The only Territorial Royal Engineers who are allowed ammunition are the field companies, which have an allowance of ninety rounds per man annually. As regards the other Royal Engineer units, it was considered that as the period of training was so short that their time was fully occupied with technical instruction, it was necessary to suspend the musketry, which was of secondary importance.

Housing and Town Planning Bills.

MR. BRODIE (Surrey, Reigate): To ask the Prime Minister whether, in view of the disappointment caused to housing reformers by the loss of the Housing and Town Planning Bill introduced during the present session by the President of the Local Government Board, he will give some assurance that a housing Bill or Bills will be included in the King's Speech next session; and whether the Government will consider the advisability of separating the housing from the town-planning portions of the Bill so as to form two separate Bills, and of drafting them in such a way that references to previous legislation can be avoided.

(*Answered by Mr. Asquith.*) I have already stated that the Government intend to introduce the Housing and Town Planning Bill, as amended, next session. I cannot give any undertaking that this measure shall be so divided as to form two separate Bills, and I am afraid that it would be impossible that the Bill should be redrafted in such a way as to avoid all reference to previous legislation.

Government Departmental Arrangements.

SIR CHARLES DILKE (Gloucestershire, Forest of Dean): To ask the Prime Minister whether the recent inquiry as to the functions and *status* of two Departments was extended, in pursuance of a promise, so as to embrace the allocation of business among several Departments with the view to more scientific distribution of duties; and whether he is now in a position to make any statement as to the scope of the inquiry and as to the time at which it is likely to be concluded, and the results announced.

(*Answered by Mr. Asquith.*) Yes, Sir, the inquiry has taken into account the problem of the allocation of business between the various Departments. I am at present unable to add anything to the information already given as to the scope of the inquiry or to say when it will be concluded.

Department of Woods and Forests.

MR. BOWLES (Lambeth, Norwood): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in view of the transfer of the Department of Woods and Forests to the Board of Agriculture, he will consider the advisability of replacing the private firm of land agents and surveyors to the Commissioners by public officials directly responsible to the President of the Board of Agriculture.

(*Answered by Mr. Hobhouse.*) The Department of Woods and Forests has not been transferred to the Board of Agriculture. The President of that Board is, by the Crown Lands Act, 1906, an *ex officio* Commissioner of Woods, and as such has been given the management of the principal agricultural estates of the Crown in England. More than one firm of land agents and surveyors are employed by the Commissioners of Woods, who do not consider that there would be any advantage, financial or otherwise, in adopting the suggestion made. I would also refer the hon. Member to the remarks of the Select Committee of 1890 (Parliamentary Paper, No. 333, of 1890, p. 7), in favour of the existing practice.

MR. BOWLES: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he will state, for each of the financial years 1905–6, 1906–7, and 1907–8, the total amount received, by way of fees and other remuneration of all kinds arising from their connection with the office of the Commission, by Messrs. Clutton, the land agents and surveyors to the Commissioners of Woods and Forests.

(*Answered by Mr. Hobhouse.*) I am informed that the total amounts paid to

Messrs. Clutton for collection of rents and for their other services, including travelling and other expenses, are:—

	£	s.	d.
For year 1905–6 -	4,759	18	9
,, 1906–7 -	4,436	11	7
,, 1907–8 -	3,148	7	0

Small Holdings in Surrey.

MR. BRODIE: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in view of the disappointment experienced by the applicants for small holdings in the parishes of Godstone and Tatsfield, in Surrey, anything can be done by the Board to assist the county council to obtain land; and whether the Board will obtain a report on the position with a view to rendering such assistance.

(*Answered by Sir Edward Strachey.*) The Board have already been in communication with the county council as to the Tatsfield applicants. Three local inquiries have been held there, and the county council are endeavouring to obtain land for the suitable applicants. We have not received any representations from the Godstone applicants, but inquiry will be made.

MR. BRODIE: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Board have any further information as to the case of Mr. Payne, of Oxted, Surrey, whose application for a small holding of five acres was approved some three months age, and who was visited by an agent of the Surrey County Council about a month ago, but who has not yet received any definite information as to when he is likely to get land; and whether the Board, if they have no information, will obtain a report from the Surrey County Council.

(*Answered by Sir Edward Strachey.*) The Board are informed that the county council are endeavouring to obtain land for Mr. Payne, but as he requires it within half a mile of New Oxted, where the price of land is from £200 to £300 an acre, the county council are precluded from purchasing, and they have not yet been able to obtain any land on lease.

QUESTIONS IN THE HOUSE.

Stokers in the Navy.

MR. HAVELOCK WILSON (Middlesbrough): I beg to ask the First Lord of the Admiralty if he can state the number of men employed as stokers and trimmers in the Royal Navy in 1907; and how many cases of suicide, if any, occurred amongst those ratings in the same year.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): The average number of stokers serving in the Royal Navy during 1907 was 30,228. There were three undoubted cases of suicide during the same period, and three others in which there was more or less suspicion of suicide, but the evidence was insufficient to enable a definite decision to be given.

Battleship Armament.

MR. LONSDALE (Armagh, Mid.): I beg to ask the First Lord of the Admiralty whether he is able to state the number and description of the big guns to be carried by the new German battleship "Posen;" the total weight of metal discharged in one round from all her guns; the weight of metal capable of being discharged in one broadside; the number and description of guns which can be fired straight ahead; and whether he can give the corresponding details with respect to H.M.S. "St. Vincent."

MR. MCKENNA: I am unable to give the information desired with regard to the armament of the "Posen," so that no comparative statement with regard to the armament of this ship and the "St. Vincent" can be prepared.

MR. LONSDALE: Does not the right hon. Gentleman think it desirable to take steps to make himself acquainted with these facts?

MR. MCKENNA: If the hon. Gentleman can help me to discover the armament of the "Posen" I shall be extremely glad.

MR. LONSDALE: It is not my job.

Naval Pensions.

MR. SNOWDEN (Blackburn): I beg to ask the First Lord of the Admiralty if, in view of the decision of the Local Government Board that weekly advances made by boards of guardians to Navy pensioners between quarterly pension days, such advances being deducted from the pension by the Army authorities, disqualify for an old-age pension, he will consider the desirability of paying Navy pensions weekly.

MR. McKENNA: On the general question of the payment of pensions weekly instead of quarterly, I have nothing to add to the Answers I gave in this House on 14th and 15th October. I would remind the hon. Member that all the information in the possession of the Admiralty points to the fact that naval pensioners as a body are fully cognisant of the advantage they derive from receiving their pensions quarterly in advance, and would resent the substitution of a general system of weekly payments. The very small percentage of men who are forced to have recourse to the Poor Law authorities for reasons other than infirmity or lunacy does not justify any change of system. In cases, however, in which it can be shown that it would be an advantage to the m n to receive his pension at shorter intervals the Admiralty are prepared to make monthly payments to him, or, subject to his consent, to pay the full quarterly sum to any responsible person for the purpose of issue by weekly instalments.

Tyneside Docks.

MR. RENWICK (Newcastle-on-Tyne): I beg to ask the First Lord of the Admiralty whether, in view of the fact that no dry dock suitable for large battleships and cruisers will be ready at Rosyth until about six years hence, he will now consider the advisability of entrusting the owners of suitable dry docks on the Tyne with a portion of the docking and repairs to large war vessels.

MR. McKENNA: The existing facilities at His Majesty's dockyards are considered to be sufficient to cope with the repairs and dockings of the large war vessels in His Majesty's Navy, and it is not proposed to make any arrangements for doing such work at private yards.

MR. RENWICK: Does not the right hon. Gentleman consider it necessary to have such docks available in time of war?

MR. McKENNA: I could not discuss that subject by Question and Answer across the floor of the House.

Naval Gunnery.

MR. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the First Lord of the Admiralty which of the eight battleships of the "Royal Sovereign" class have carried out quarterly practice from their 13·5-inch guns this year.

MR. McKENNA: With the exception of H.M.S. "Revenge," which carries out special duties, the ships of the "Royal Sovereign" class, which are on the Special Service list, do not carry out quarterly practices.

Naval Ammunition Reserve.

MR. STAVELEY-HILL: I beg to ask the First Lord of the Admiralty if the reserve for 13·5 ammunition for each of the eight "Royal Sovereign" class of the Home Fleet enumerated as first-class battleships is maintained at the same level per gun as that adopted for the 12-inch guns of the more modern battleships in the Nore Division of the Home Fleet, after deducting an amount to allow for the full quantity of ammunition for a fully-commissioned battleship being on board each ship.

MR. McKENNA: It is undesirable, in the interests of the public service, to make any statement as to the scale of reserves of ammunition which is maintained.

Admiralty Granite Contracts.

MR. CARLILE (Hertfordshire, St. Albans): I beg to ask the First Lord of the Admiralty whether, in view of the quantities of granite imported into this country from foreign countries where the fair wages clause is not in operation, and of the present state of unemployment obtaining in this country, he will take steps to ensure that in all future contracts for dock and harbour works British granite only shall be used.

MR. McKENNA: No, Sir.

MR. CARLILE: Will the right hon. Gentleman give the matter further consideration?

MR. McKENNA: I have given the matter the fullest consideration, and I regret I cannot alter my Answer.

Naval Reserve.

MR. C. E. PRICE (Edinburgh, Central): I beg to ask the First Lord of the Admiralty whether the men of the Naval Reserve who formerly used to drill at the various stations round the East Coast of Scotland are to be transferred to the South of England, or whether there is any intention of so doing; and whether he will consider the possibility of sending a vessel round the country for three or four months of the season to enable men to take their drill.

MR. McKENNA: Under the new system of training, Royal Naval Reserve men are trained in ships of the division of the Home Fleet to which their district is affiliated. In the case of the East Coast of Scotland men, the division is Portsmouth. When Home Fleet ships are cruising in the North, arrangements have been made for north countrymen to be embarked direct in these ships for training; but it is not practicable to carry out the suggestion made in the latter part of the hon. Member's Question.

H.M.S. "Amethyst."

MR. BRAMSDON (Portsmouth): I beg to ask the First Lord of the Admiralty whether he is aware that on Tuesday, the 8th instant, a gun-fitting was thrown overboard from H.M.S. "Amethyst," whilst that ship was in Fountain Lake, Portsmouth Harbour, and recovered on the following morning; whether, in consequence of its not being known who had thrown the fitting overboard, the leave for the whole of the men was stopped, and those on leave were recalled; whether the "Amethyst" is under orders to leave early in the new year and one-half of the crew were consequently on leave; whether there has been any discontent on board; and what orders have the Admiralty given, or what do they propose to do in the matter, so as to insure that innocent persons shall not further suffer.

MR. McKENNA: I have received a telegram from the commander-in-chief at Portsmouth on the subject of my hon. friend's Question, and as its terms give a full reply, I propose to read it: "Gun-fitting was missed morning of 9th instant and recovered by diver same day, and inquiry shows fitting was thrown overboard previous evening. One watch was on long leave, and no men were recalled. Leave of other watch was suspended until 14th instant, whilst investigations were proceeding. By 14th, sufficient evidence was obtained to throw strong suspicion on two men, who are now under arrest, and ordinary short leave was resumed. Am satisfied there is no general discontent on board, and that this act of insubordination was the work of two or three men only."

Effective War Ships.

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty with reference to the list of over 150 ships which were alleged to have been scrapped by a decision of the Admiralty in October, 1904, and the 155 names given in a Return issued to Parliament entitled Vessels struck off the List of Effective Ships of War, whether he will state how many of the 155 vessels were not on the list of effective ships of war at the time the previous Board of Admiralty, of which Lord Walter Kerr was First Sea Lord, came to an end; how many of the 155 vessels still appear in the Navy List now that over four years have elapsed; how many still appear in the current Return of Fleets (Great Britain and Foreign Countries); and how many are in commission in one capacity or another.

MR. McKENNA: The list to which my hon. friend refers is presumably that contained in Return No. 74 of 1905, which classifies the vessels in question under several headings, and implies that a large proportion of them were not intended to be "scrapped." Of the vessels contained in this list, there are now in sea-going commission, one third-class cruiser (the "Philomel"), three surveying vessels and six sloops and gunboats, of which five are for river service on the China station. The vessels contained both in this list and in the current "Return of Fleets," are nine second-class cruisers, two third-class cruisers, and one torpedo gunboat. The Navy List contains all vessels, effective and non-effective, which have not yet been sold, and I presume my hon. friend does not want a comparison which would throw no light on the question whether the classification of any vessel has been altered since 1905. As regards the question what ships were placed on the non-effective list before October, 1904, I would refer my hon. friend to a printed Answer given him in reply to his Question of 23rd October, 1906, which gives a nominal list for vessels of more than 4,000 tons. I do not think that the utility of giving also the names of vessels under 4,000 tons, is commensurate with the labour involved in obtaining it.

Vaccination in the Navy.

Mr. LUPTON (Lincolnshire, Sleaford): I beg to ask the First Lord of the Admiralty whether he has received a letter drawing his attention to a suggestion of Surgeon N. Howard Mummery, M.R.C.S., of the Royal Navy, that in the near future men on joining the service will be vaccinated against syphilis, at the same time and in the same way as they are now vaccinated against small pox, and asking for an assurance that no man on entering the Navy shall incur the risk of compulsory blood-poisoning with syphilis passed through apes; whether he gave that assurance, or, if not, whether he can state why it was withheld; and whether he is willing to lay the whole correspondence relating to this subject upon the Table.

Mr. McKENNA: I have received such a letter as is referred to by my hon. friend, and I replied to the effect that there were no circumstances which justified such an inquiry being addressed to me.

Mr. LUPTON: Does not the suggestion meet the right hon. Gentleman's approval?

Mr. McKENNA: There is no ground for supposing it does.

Foreign Navy Estimates.

Mr. BELLAIRS: I beg to ask the First Lord of the Admiralty what is the total sum provided in the latest published Navy Estimates of Great Britain, Germany, and the United States for the material up-keep of their fleets, so as to include the sum total of the money to be expended on shipbuilding, repairs, and armaments, and stating in each case the years for which the figures are given.

Mr. McKENNA: The total sum provided for material upkeep of fleets by Germany, the United States, and the United Kingdom, are—

	Amount.	Year.
	£	
Germany - -	11,942,009	1909–10
United States -	9,358,108	1908–9
United Kingdom	11,221,534	1908–9

H.M.S. "Philomel."

Mr. BELLAIRS: I beg to ask the First Lord of the Admiralty whether he is aware that during 1903–4 and 1904–5 H.M.S. "Philomel" had £23,825 spent on her repairs, and that in October, 1904, she was included in the list of 155 ships purporting to have been struck off the list of effective ships of war; whether he can state the number of miles steamed by this ship with her own engines after the completion of her thorough repairs in 1904 before she was towed back in 1906 to Haulbowline to be again refitted for her commission as a cruiser attached to the battle squadron in the Mediterranean; and whether he can state how long the repairs spread over 1906 and subsequently took, and what was the total cost.

Mr. McKENNA: The figures given in the first part of my hon. friend's Question, if intended to apply to Return No. 74 of 1905, are approximately correct. The ship carried out a full-power trial after refit, and steamed about 160 miles for this purpose. The last refit occupied from September, 1906, till February, 1908, and was carried out concurrently with other work at Haulbowline. The cost was £13,619, which included arrangements for magazine cooling. The "Philomel" is attached to the Mediterranean Fleet primarily to be available for particular service if requested by the Foreign Office or Colonial Office, in time of peace, especially in the Red Sea, where she has been for some months this year.

The Two-Power Naval Standard.

MR. ARTHUR LEE (Hampshire, Fareham): I beg to ask the Prime Minister whether his attention has been called to the report of a Resolution, recently passed by the signatories to the Memorial on Reduction of Armaments, in which, apparently as the result of private communications with the Prime Minister, the signatories profess to have obtained justification for the hope that he will shortly make a public announcement modifying the statements which he recently made in this House on the subject of the two-Power standard, to ask him further whether the Report in question has been published with his authority, and whether there is any justification for the suggestion that the views of the Government have undergone a change since his public announcements on 13th and 23rd November.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): The views of the Government have not undergone any change, nor have I any intention of modifying the statements which I have made. My Answer to which the hon. Gentleman refers, did not announce any change of policy, but the intentions of the Government to continue to pursue a policy which has now been followed for a number of years. I indicated to some of my hon. friends my willingness to make a fuller statement on the whole subject than is possible within the limits of an Answer to a Question, and I rather deprecate these important matters being discussed in the form of Question and Answer. When the proper opportunity comes I shall hope to make a fuller statement.

MR. ARTHUR LEE: Is the right hon. Gentleman aware that there would have been no disposition on this side of the House to put down Questions on this subject but for the Resolution passed by a section of his own supporters?

MR. ASQUITH: I do not make any complaint against anybody, but I do think that in matters of so much gravity and delicacy as the question of the two-Power standard, it is not altogether desirable that a Minister should be compelled, probably in answer to a supplementary Question, on the spur of the moment to use language which, however carefully chosen, may always be liable to a certain amount of misinterpretation.

MR. AUSTEN CHAMBERLAIN Worcestershire, E.): May we understand from the right hon. Gentleman that the opportunity to which he looks forward of making a statement will be in this House?

MR. ASQUITH: Yes, certainly.

Indian Famine Prevention Operations.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether the results of the prevention of famine operations of the Government of the United Provinces, which have recently been summarised, can in any way be made available to hon. Members of Parliament.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): Pending the presentation of the Report to Parliament, the Secretary of State, with the view of meeting the request of the hon. Member, has placed one of the copies received from India in the Library of this House.

*MR. REES: Is it not desirable to circulate it among hon. Members, so that Indian critics may learn something from Indian administration?

MR. BUCHANAN: It can be circulated.

The Unrest in India.

MR. REES: I beg to ask the Under-Secretary of State for India whether he will give the caste in each case of the persons convicted in India of sedition, bomb-throwing, and other crimes of the like character during the present year.

MR. BUCHANAN: As I stated yesterday the Secretary of State is unable to give this information.

*MR. REES: I am sorry I did not hear the right hon. Gentleman's Answer yesterday—there was a noisy demonstration at the time—but does he not consider it very desirable that this should be done so that the limitations of this agitation may be made clear to the House?

MR. BUCHANAN: I do not think it desirable to add another column to the Return asked for.

SIR H. COTTON (Nottingham, E.): Have not all the persons punished been of the upper caste?

MR. BUCHANAN: I am not prepared to admit that.

*MR. REES: Have they not all been Brahmins?

MR. BUCHANAN: I will leave the hon. Gentlemen to settle that point between them.

MR. MACKARNESS (Berkshire, Newbury): Will the return, when published, be brought up to the end of this year.

MR. BUCHANAN: No doubt it will be brought up to as late a date as possible.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether he can state the reason of the arrest of Mr. Krishna Kumar Mitter, in Calcutta, and of Messrs. Aswini, Kumar Dutt and Pulin Behary Dutt, in Eastern Bengal; what charges have been made against them; and under what law have proceedings been taken in their case.

The following Questions were also on the Paper—

MR. MACKARNESS: To ask the Under-Secretary of State for India whether he will state how many British subjects in India have been arrested and deported without trial, and upon what evidence; what is the charge made by the Indian Government against them; has the charge been made known to them; and have any or all of them been given any opportunity of answering the charge.

SIR H. COTTON: To ask the Under-Secretary of State for India if he can state the reasons why it has been deemed necessary to arrest and deport nine leading Nationalists in Bengal without charge or trial under Regulation 3 of 1818, instead of proceeding against them under the ordinary law in the Courts of justice.

MR. G. GOOCH: To ask the Under-Secretary of State for India whether he can inform the House on what grounds nine Indians have recently been arrested under the Regulations of 1818; and whether they will speedily be brought to trial.

MR. BUCHANAN: I may perhaps be allowed to answer the four Questions on this subject together. Nine persons in all have been arrested under Regulation III. of 1818; under that Regulation it is not necessary to formulate charges against them, and they will not be brought to trial, but the Government of India are satisfied that their seclusion under the Regulation is necessary "for the security of the British dominions in India from internal commotion." The prisoners are, no doubt, aware of the grounds on which they have been arrested, and it is open to them to forward to the Governor-General in Council any representations they desire to submit.

SIR H. COTTON: May I ask whether these persons have been arrested under that portion of the regulation which declares that it is necessary to place under personal restraint individuals against whom there may not be sufficient ground to institute any judicial proceedings?

MR. BUCHANAN: They have been arrested under the terms of that part of the regulation to which I have referred.

SIR H. COTTON: Why were judicial proceedings not taken against them?

MR. BUCHANAN'S reply was inaudible.

MR. KEIR HARDIE (Merthyr Tydvil): Can the right hon. Gentleman say whether any proceedings have ever been taken in this connection against Mr. Krishna Kumar Mitter and whether Mr. Kumar Dutt, on being accused of sedition a year ago, did not successfully raise an action for damages against the official who brought the accusation?

MR. BUCHANAN asked for notice of the Question.

*MR. REES: Is the regulation of 1818 the regulation under which Lajpat Rai was deported from the Punjab with such satisfactory results?

MR. BUCHANAN: It is the same regulation.

MR. MACKARNESS: Can the right hon. Gentleman say whether these persons have been told what is the charge against them, and, if so, what is their answer?

MR. BUCHANAN: I have stated that they have full opportunity of forwarding to the Governor-General in Council any representations they desire to make.

MR. MACKARNESS: Were they told before they were deported for what reason they were to be deported?

MR. BUCHANAN: I have no reason to believe that they are ignorant on that point.

MR. MACKARNESS: Has the right hon. Gentleman any reason for thinking——

*MR. SPEAKER: Order, order. The hon. Member has had two or three supplementary Questions already.

MR. RAMSAY MACDONALD (Leicester): May I ask whether this Mr. Krishna Kumar Mitter is the author of a very fervent and eloquent appeal to young men to refrain from murder and disorder, published immediately after the attempt on the life of Sir Andrew Fraser?

MR. BUCHANAN: I cannot answer that.

*MR. LUPTON: Have the Indian Government lately been in consultation with M. Stolypin?

[No Answer was returned.]

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether his attention has been drawn to a case in Allahabad in which the youthful editor of a newspaper called the *Swarajya* or "Self-Government," has been sentenced to seven years transportation three times over, for sedition, the sentences to run concurrently; whether any appeal lies in this case; and whether the Government propose to take any action to mitigate the severity of the orders passed.

*MR. REES: May I ask whether a man who is old enough to edit a newspaper is not old enough to know better?

MR. BUCHANAN: The attention of the Secretary of State has been drawn to this case. The accused is entitled to appeal. I have no reason to think that the Government of India proposes to take any exceptional action.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India if he can state when the Return regarding seditious prosecutions in India, which was promised in June last, will be laid upon the Table of the House.

MR. BUCHANAN: The Secretary of State hopes to present early next session the Return for which the hon. Member moved on 29th July. The delay has been due to the necessity of going to the local authorities for accurate information.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether Mr. Pulin Behary Das, of Dacca, has been arrested and deported without charge or trial after criminal proceedings had been instituted against him in the ordinary

Courts of the country and the prosecution had failed.

Mr. BUCHANAN: The person has been arrested under Regulation 3 of 1818; the criminal proceedings against him did not fail, but were interrupted by the murder of the principal witness, and he was only released on bail.

Mr. MACKARNESS: On whose evidence were these persons arrested under this Regulation?

Mr. BUCHANAN: They were arrested after the most careful examination had been given to statements submitted by the best authorities.

Mr. LUPTON: Was the evidence subjected to cross examination?

Mr. MACKARNESS: Was it the evidence of the police?

***Mr. SPEAKER**: Order, order. That does not arise out of the Question.

***Mr. REES**: I beg to ask the Under-Secretary of State for India whether, in native States in India, laws do not exist of the like character with Regulation 3 of 1818; and whether such laws are not enforced in such States from time to time by the ruling chiefs.

Mr. BUCHANAN: Native States have laws and usages of their own, with which, except in proved cases of gross maladministration, the British Government is under treaty obligations not to interfere. I am not in a position to state the laws on the subject referred to in the Member's Question that may be in force in the various States, or how far cases that arise are dealt with in accordance with usage. But, whether by law or usage, the Durbars of Native States are in a position to take action, when necessary, of a similar nature to that authorised by Regulation 3 of 1818.

Indian Law of Summary Justice.

Mr. GINNELL (Westmeath, N.): I beg to ask the Under-Secretary of State for India whether Members of this House will be supplied at the earliest possible date with the text of the new Indian Law of Summary Justice, together with such Memorandum or portions of other laws as may be necessary to elucidate it, and, in the case of editors and other persons punished under this new law for language written or spoken, with the text of the incriminated words used and statements of the punishments inflicted.

Mr. BUCHANAN: The hon. Member has no doubt received a copy of the Act; the Indian Codes to which it refers are to be found in the Library. As I have already stated, the Act deals with murderous outrages and kindred offences, and not with seditious writings or speeches.

Mr. MACKARNESS: May I ask whether under this law a prisoner charged, say, with murder is liable to have all the preliminary proceedings conducted in secrecy and without his advocate having an opportunity of cross-examining the witnesses.?

Mr. BUCHANAN: The hon. Gentleman can get an answer to that Question by going to the Vote Office.

Mr. MACKARNESS: But am I right that that is the case?

[No Answer was returned.]

Indian Public Works Department.

Mr. HART-DAVIES (Hackney, N.): I beg to ask the Under-Secretary of State for India whether the reorganisation of the Public Works Department as regards the separation between the Imperial and provincial services has been sanctioned by the Home Government and carried into effect by the Government of India; whether the Secretary of State is aware of the dissatisfaction caused in the provincial ranks of the service by what they regard as an unjust discrimination between engineers recruited in England and those recruited in India; and whether he proposes to take any steps in the matter.

Mr. BUCHANAN: The reorganisation of the Public Works Department separating the cadres of the imperial and provincial services has been sanctioned by the Secretary of State and introduced in India. Separation of the imperial and provincial cadres is in accordance with the recommendation of the Public Service Commission of 1887, and has been adopted in several of the other Departments of the Government of India. The Secretary of State is aware that this measure has given rise to some dissatisfaction among the provincial engineers; but, if there is ground for modifying details of the reorganisation scheme, local governments will no doubt address the Secretary of State through the Government of India.

MR. HART-DAVIES (Hackney, N.): Is the Indian Office willing to receive representations on the subject from the Government of India?

MR. BUCHANAN: We will wait and see what representations are made.

Indian Factory Labour Commission Report.

*MR. REES: I beg to ask the Under-Secretary of State for India whether the Bengal Chamber of Commerce has addressed the Bengal Government in regard to the legislative proposals of the Report of the Indian Factory Labour Commission, urging that any new legislative provisions should not, in respect of jute mills, go beyond those prescribed by existing Acts; and whether, in view of the importance of this industry, the Government will insure that the said representation shall be favourably considered.

MR. BUCHANAN: The Answer to the first Question is in the affirmative. The views of the Chamber will undoubtedly receive consideration, but the Secretary of State cannot undertake to say more than this.

Madras Landed Estates Act.

MR. REES: I beg to ask the Under-Secretary of State for India whether any representations have been received by the Secretary of State regarding the working of the Madras Landed Estates Act.

MR. BUCHANAN: No representations regarding the working of the Madras Landed Estates Act have been received by the Secretary of State.

Local Option in New Zealand.

MR. CHARLES ROBERTS (Lincoln): I beg to ask the Under-Secretary of State for the Colonies if he can now state the total number of electoral districts in New Zealand in which compulsory local option polls were held at the recent elections in that Dominion; the number and, if possible, the names, of the electoral districts in which no licence was carried at these elections; and the number of districts where a reduction of licences was secured; and whether, in any of the six electoral districts where no-licence was previously in existence, that policy has been reversed in the recent elections.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): The number of districts in which local option polls were held at the recent election in New Zealand was sixty-eight, in fifteen the licence was carried, but the Secretary of State has not information as to the names of those districts; in eight a reduction of licences was secured, and the policy of no-licence was confirmed in all the six districts where no licence was previously in existence by increased majorities in all save one case, while six additional districts declared for no-licence, making twelve total prohibition districts.

Financial Position of Mauritius.

MR. BOLAND (Kerry, S.): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to the local demand made in Mauritius for a commission of inquiry into the financial position of the Colony; and what action he proposes to take in the matter.

COLONEL SEELY: The matter has formed the subject of correspondence with the Mauritius Government. The unofficial Members of the Legislature rejected a proposal for a Commission which was put before them by Lord Elgin's directions, and I am not aware that they have at present changed their attitude with regard to it.

Railway Construction in Crown Colonies.

MR. GINNELL: I beg to ask the Under-Secretary of State for the Colonies whether the construction of the Uganda Railway departmentally has cost, in both time and money, 100 per cent. more than it would have cost if constructed by contract, and the construction departmentally of the railway through the Sultanate of Johore, which was opened for traffic on the 12th instant, has cost, in both time and money, some 40 per cent. more than it would have cost if constructed by contract; whether he will state in respect of each of these works the original estimate of cost and time, the sum for which and the time in which it could have been done by contract, and the actual cost, in money and in time, under departmental management; whether the cost of the Kowloon Railway at Hong Kong, though only partially executed, already exceeds the original estimate for completion of the entire work; whether he will state what the original estimate was, the cost to the present date, and the present estimate for the entire work; whether, in view of the waste under departmental management of which these are examples, it is proposed to continue that system in similar works in future; and, if so, for what reasons.

Colonel SEELY: The question how much the Uganda Railway would have cost if it had been constructed by contract is one which naturally does not admit of a categorical answer, but the figures as to the cost of other railways in Africa given on pages 30–31 of Cd. 2164 show that its cost compares favourably with that of other railways in Africa, especially if allowance be made for the very great difficulties of the country. As regards the Johore Railway, which has been built by the Government of the Federated Malay States for the Government of Johore under a Convention with the Sultan, the estimate was £1,200,000. I have no information as to the actual cost of the other particulars asked for. No comparison can be made between the original estimate of the Kowloon Railway, which was necessarily to a large extent conjectural, and the present estimate, which is approximately $10,000,000, seeing that the increase is largely due to a review of the policy as to terminal accommodation as well as to the unexpected difficulties met with in the course of construction. The Secretary of State is unable to admit that these railways are examples of waste under departmental management or to commit himself as to the policy which may be adopted in the case of future railway works.

Mr. GINNELL: Is it not the fact that the work executed by the Crown Agents costs more in time and money than it would if it were put out to public tender?

Colonel SEELY: Generally speaking, I do not think that is so. I have gone carefully into the matter.

*Mr. REES: Was not this question of construction by Crown Agents recently investigated by the Committee of which the hon. and gallant Gentleman was President?

Colonel SEELY: Yes, Sir, and that Committee, over which I presided, has enabled me to give a fuller reply to this Question than I might otherwise have done.

Transvaal and Orange River Civil Service.

Mr. CARLILE: I beg to ask the Under-Secretary of State for the Colonies if he will ascertain the number of Civil servants of British birth in the Transvaal and Orange River Colonies who, while being retained in the employment of the Colonial Governments, have had their *status*, rank, and salaries reduced since the grant of self-government to these Colonies.

Colonel SEELY: No, Sir. The Secretary of State is not prepared further to trouble the Colonial Governments, who have already been good enough to supply a large quantity of information.

Dinizulu's Trial.

Mr. MACKARNESS: I beg to ask the Under-Secretary of State for the Colonies if he can state whether the case for the Crown against Dinizulu has yet been closed; whether witnesses for the defence have been called; and how long the trial is likely to last.

COLONEL SEELY: I have no information that the case for the Crown has been closed. The proceedings opened on 19th November. With regard to the duration of the trial my hon. and learned friend well knows it is always difficult to forecast the length of legal proceedings, and, moreover, we believe that the number of witnesses to be called on both sides is exceedingly large.

MR. MACKARNESS: Does the hon. and gallant Gentleman think it will ever come to an end?

COLONEL SEELY: Oh, yes, some day, I hope.

Repatriation of Chinese Labour for South Africa.

MR. MACKARNESS: I beg to ask the Under-Secretary of State for the Colonies whether he will state the date on which the last shipload of Chinese labourers, repatriated from the Rand, left South Africa, and the date on which the next shipload is intended to leave.

COLONEL SEELY: The last shipload left in October, and I presume that the next will leave or has left during this month. The exact dates are not reported to the Colonial Office, but the despatch of the vessels must depend on the date of termination of the contracts. No Chinese were imported in November 1905.

Case of Mr. Silberad.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether, in view of the fact that the inquiry into the conduct of Mr. Silberad was held in public, and that the Judge's report and the signed depositions of the native witnesses are now in private hands in this country, he will lay upon the Table of the House the official report of the Judge, together with the Judge's transcript of the evidence.

COLONEL SEELY: The Secretary of State does not consider that it would be in the public interest that Papers should be laid on this subject. The fact that the inquiry was held in public as stated in the Question removes an undesirable element of secrecy, and it would appear undesirable to give wide dissemination to the details of the case.

MR. WEDGWOOD: Does not the hon. Gentleman think that this policy of hushing up is likely to cause damage to British prestige by creating the idea that this serious crime is common among British officials?

*MR. SPEAKER: That is a matter of opinion on which every man can form his own conclusion.

British Indians in the Transvaal.

MR. O'GRADY (Leeds, E.): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the case of four British-Indian boys who were punished as prohibited immigrants for entering the Transvaal with their parents, three to a fine of £15 or two months imprisonment, and one to a fine of £5 or fourteen days hard labour; whether he is aware that three of the boys were ten, eleven, and twelve years of age, and that they were all sent to gaol; and whether he can state the number of British-Indian children that have been sent to gaol for a similar offence.

MR. SCOTT (Ashton-under-Lyne): At the same time may I ask the Under-Secretary of State for the Colonies whether he has yet received a report of the case of Hira Mulji, a boy of twelve, who was recently sentenced to fourteen days imprisonment for entering the Transvaal with his father, and subsequently sentenced to a further month's imprisonment for the same offence; and whether he proposes to take any steps in this matter, and prevent the further imprisonment of British-Indian children in like circumstances.

COLONEL SEELY: We are still waiting for a reply from the Governor to our telegraphic inquiry.

*MR. REES: Will the hon. Gentleman also inquire if there are institutions other than prisons to which the children could be sent in such cases if they did not accompany their parents to prison?

COLONEL SEELY: Yes, I will inquire.

Crown Agents' Committee.

MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether the Crown Agents Committee has reported; and, if the Answer be in the affirmative, whether he will lay the Report.

COLONEL SEELY: Yes, Sir; and the Report will be laid on the Table after the Secretary of State has been able to consider carefully the recommendations which it contains.

Game Traps for Southern Nigeria.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Under-Secretary of State for the Colonies whether he is aware of the effect of the tax put upon traps exported from this country to Southern Nigeria upon the makers of these traps in the Wednesfield district of Wolverhampton and also upon the natives who augment their income by trapping, and who now claim that the trapping is checked for the benefit of sport and sportsmen; and whether his Department will advise the removal of this tax until at least the policy has been accepted by the Government.

COLONEL SEELY: As regards the effect of the increased duty upon the makers of the traps, and the policy of the Government in this matter, I can add nothing to the very full printed reply which I gave on the 8th of this month to my hon. friend the Member for Wolverhampton. No complaints have reached the Colonial Office from the natives, nor any suggestion that trapping is checked in the interests of sport, and I may observe that the proposal to increase the duty was carried unanimously in the Legislative Council with the support of the native members.

Germany, Portugal, and Delagoa Bay.

MR. LONSDALE (Armagh, Mid): I beg to ask the Secretary of State for Foreign Affairs whether he is aware of a German loan to Portugal having been arranged on the security of Delagoa Bay and its port and railway; and, if so, what steps is it proposed to take to safeguard British interests in the South African Hinterland served by Delagoa Bay.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): There is no foundation whatever for the rumour that such a loan has been arranged.

MR. LONSDALE inquired whether the right hon. Gentleman had seen the statement in the newspapers.

SIR EDWARD GREY: I took steps to ascertain whether there was any truth in it.

Promotion in the Egyptian Service.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether he will advise the British Agent in Egypt to strengthen the rule that all appointments and promotions of Egyptian officials shall be made on merit and apart from religious persuasion.

SIR EDWARD GREY: Recent appointments in Egypt have gone to show that the principles referred to are those to which the Egyptian Government is adhering.

Water Supply of Cairo.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the complaints concerning the quality of the water supply of Cairo; and whether any steps are being taken to improve it.

SIR EDWARD GREY: The question of the water supply at Cairo was inquired into by three experts, whose Report was published in the Egyptian *Journal Officiel* of 30th December, 1907.

Egyptian Administration.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary of State for Foreign Affairs whether he has now had his attention called to the Resolution unanimously passed on 1st December by the Legislative Council of Egypt, praying the Khedive to prepare an organic measure conferring on the nation the right to participate effectively in the interior administration of the country and in the direction of local affairs, with reservation of all matters covered by the Capitulations or regarding the public debt and its liquidation, the relations of Europeans with the Egyptian Government, the tribute paid to Turkey, the international relations of Egypt, and the right of the Khedivial Government to enter into treaties with other nations; and whether His Majesty's Government will urge the British Agent at Cairo to give his active support to this appeal.

Sir EDWARD GREY: The Answer to the first half of the Question is in the affirmative. With regard to the latter half, the terms of the reply to be returned to the Resolution are now under the consideration of the Egyptian Government, and I can add nothing to the last statement of the general principles by which the action of His Majesty's Government is guided in this matter.

Mr. J. M. ROBERTSON: May I ask the right hon. Gentleman whether the decision as regards the answer to this appeal is to be left solely or substantially in the hands of the Consul-General at Cairo, or whether His Majesty's Government will not take a direct controlling influence in this matter?

Sir EDWARD GPEY: The last statement of the principles by which we were guided in this matter was made by Sir Eldon Gorst himself, and received the entire approval of His Majesty's Government.

Mr. J. M. ROBERTSON: But will the Government give the Consul-General a lead?

Mr. CURRAN (Durham, Jarrow): May I ask whether the Government is at present contemplating a revision in the Legislative Council of Egypt, and whether the right hon. Gentleman is aware that the appointed persons out-number the popularly elected persons on that body?

Sir EDWARD GREY: While we are not contemplating a revision of that body, we have been contemplating and engaged in the last year in carrying out reforms in the direction of municipal councils. Our attention remains concentrated upon that.

Mr. CURRAN: Is the right hon. Gentleman aware that towards the latter part of last session the then Under-Secretary for Foreign Affairs promised that this matter should be investigated by the Government?

Sir EDWARD GREY: I am not aware of any promise made by other Ministers.

Mr. MACKARNESS: Can the right hon. Gentleman say when he will acquaint this House with the determination which His Majesty's Government have come to upon the Resolution of the Legislative Council?

Sir EDWARD GREY: When the answer is given by the Egyptian Government, no doubt it will be made public.

Mr. MACKARNESS inquired when that would be.

Sir EDWARD GREY: I only had a copy of the Resolution itself yesterday.

Prevention of Crime in Egypt.

Mr. J. M. ROBERTSON: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the increasing insecurity of life in Egypt, particularly as exemplified in the long and continued series of attempts at train-wrecking in the Behera Province, in connection with none of which have the authorities been able to secure a conviction; whether he is aware that such failure is commonly asserted to be due in part to the jealousy existing between police and the parquet; and whether, in view of these and other instances of inefficiency in the machinery for the prevention of crime in Egypt, he will now urge upon the Egyptian Government the expediency of a thorough investigation of the system, with the aid and counsel of natives of due experience in public affairs.

Sir EDWARD GREY: I am in communication with His Majesty's Agent at Cairo respecting the reported cases of lawlessness furnished me by the hon. Member. Pending Sir Eldon Gorst's Report, I am not prepared to urge any special course of action on the Egyptian Government.

British Army of Occupation in Egypt.

Mr. J. M. ROBERTSON: I beg to ask the Secretary of State for Foreign Affairs whether his announcements that the addition made to the annual cost of the British Army of Occupation in Egypt in 1906 was in consequence of events that happened early in that year have reference to the relations then subsisting between this country and Turkey; whether these relations are still such as to call for the expenditure in question; and whether he will state to the House the grounds upon which that expenditure is still maintained.

Sir EDWARD GREY: The annual cost of the British Army of Occupation in Egypt depends upon the numbers of the force. In 1904 a considerable reduction was made in the numbers; it was done from motives of economyand from a desire to reduce as far as possible any burdens upon the Egyptian budget; but it was felt at the time that the reduction brought the numbers to a very low point, and must be subject to future reconsideration. The conditions which originated with the European naval demonstration against Turkish islands in 1905, and which were intensified by the Sinai boundary difficulties in 1906, led to a review of the situation in consultation with the authorities at home, and it was decided in the earlier part of 1906 to restore the numbers substantially to what they had been before the reduction in 1904. If the point referred to in the Question were the only one to be taken into account, the matter might no doubt be reconsidered, and the situation is as a matter of fact reviewed from time to time. But, having regard to the various contingencies that may arise and to the fact that the needs of the Soudan as well as of Egypt must be taken into account, the military authorities are not of opinion that any change in the nature of a reduction should be made.

The Naval Conference—Validity of Captures.

Mr. HUNT (Shropshire, Ludlow): I beg to ask the Secretary of State for Foreign Affairs whether, at the present Naval Conference, the question of submitting the validity of captures of an enemy's merchantmen by a belligerent Navy to an International Court of Award is to be discussed.

I beg also to ask the Secretary of State for Foreign Affairs whether the question of returning captured merchant vessels to the enemy from whom they were taken is to be discussed at the present Naval Conference.

Sir EDWARD GREY: Except as regards a few clearly defined cases enumerated in Article 3 of the Prize Court Convention of the Second Peace Conference, the general question of the treatment of enemy merchant vessels is not one within the juridsiction of the proposed International Court. That question accordingly forms no part of the programme of the present Naval Conference.

Labour in Egyptian Factories.

Mr. G. GOOCH (Bath): I beg to ask the Secretary of State for Foreign Affairs whether any steps have now been taken in reference to the conditions of labour in Egyptian factories.

Sir EDWARD GREY: At the end of October the question was under consideration, and Commissioners were to be appointed to inquire into the matter, the delay being due to the fact that the factories were only then beginning the season's work. As soon as the question has been studied by the Egyptian Government, Sir Eldon Gorst will submit a Report on the subject.

Conviction for Cycle Stealing at Wolverhampton.

Mr. GEORGE THORNE(Wolverhampton, E.): I beg to ask the Secretary of State for the HomeDepartment whether he has received a petition signed by a number of the inhabitants of Brewood, near Wolverhampton, submitting that a miscarriage of justice has taken place by the sentencing of three Irishmen named Thomas Lyons, James Corfield, and

Martin Murphy, none of whom had been previously charged with any offence, and who were not professionally represented, at the Brewood Petty Sessions on 16th November last to three months hard labour for the alleged theft of a bicycle; whether he is aware that all three of these men maintained that the bicycle was only detained by them by reason of one of them, Thomas Lyons, having been knocked down by it, and its rider refusing on request to give his name and address, and that the detention was with no felonious intent, but with a view to securing redress for the injury sustained; and whether he will direct the release of these men.

The following Questions were also on the Paper:—

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Secretary of State for the Home Department whether he has received a petition signed by a large number of the inhabitants of Brewood, near Wolverhampton, submitting that a serious miscarriage of justice has taken place by the sentencing of three Irishmen named Thomas Lyons, James Corfield, and Martin Murphy, none of whom had been previously charged with any offence, and who were not professionally represented, at the Brewood Petty Sessions on 16th November last to three months hard labour, for the alleged theft of a bicycle; whether he is aware that it is alleged by all three of these men, and submitted by the petitioners, that the bicycle was only detained by them by reason of one of them, Thomas Lyons, having been knocked down by it, and its rider refusing, on request, to give his name and address, and that the detention was with no felonious intent whatever, but solely to obtain the information asked for, with a view to securing redress for the injury sustained; and whether he will direct the release of these men.

MR. McLAREN (Staffordshire, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of three men named Thomas Lyons, James Corfield, and Martin Murphy, residing at Brewood, in Staffordshire, who were sentenced to three months hard labour on 16th November for stealing a bicycle; and whether, in view of the doubts existing that the accused had any felonious intent, and in view of their previous exemplary character, as testified by the fact that over 600 signatures were secured in the neighbourhood to a petition on their behalf, he will cause inquiry to be made into the case with a view to remitting the remainder of the sentence.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I have caused careful inquiry to be made as to the facts of this case. The evidence shows that the prisoner Lyons, knocked one of four cyclists off his bicycle into a ditch. The prisoner then took possession of the cycle, and demanded compensation from the cyclists for pretended injury. On the cyclists refusing to comply with this demand, the prisoners retained the bicycle, and it was found in Lyons' house on his arrest. I see no reason to doubt the justice of the conviction. As, however, I find that the prisoners had hitherto borne good characters, I have decided to advise, as an act of clemency, that the sentence of Lyons, the principal offender, be reduced to two months, and that of his companions to six weeks.

MR. PATRICK O'BRIEN: Will the right hon. Gentleman extend his clemency to these prisoners and release them about Christmas time in view of the fact that a great many people who have no sympathy with them still believe that there has been a miscarriage of justice? Does he think that any useful purpose will be served by keeping them in prison for two months when they ought to be earning a living for their families?

MR. McLAREN: May I join in the same appeal? The memorial was signed very numerously.

MR. GLADSTONE: I have given the matter very careful consideration, and I cannot add anything to my statement.

MR. JOHN O'CONNOR (Kildare, N.): Is it not a fact that these men were convicted of a technical offence, and that the element of intent was entirely absent from the case?

*MR. GLADSTONE: I cannot admit that at all. The case was very carefully considered by Lord Hatherton, who is a Chairman of Quarter Sessions.

MR. PATRICK O'BRIEN: The right hon. Gentleman has heard only one side of the case, and that is the record of the Court. [Order, order.]

*MR. SPEAKER: Will the hon. Gentleman put his Question?

MR. PATRICK O'BRIEN: I will, but I was interrupted. May I ask whether, in view of the fact——

*MR. SPEAKER: Order, order. Will the hon. Gentleman leave out all preliminaries?

MR. PATRICK O'BRIEN: Yes, Sir. Will the right hon. Gentleman give me permission to visit these prisoners and hear what they have to say?

MR. GLADSTONE: I cannot put the hon. Gentleman in the position of a Judge in the case; but I will certainly give proper consideration to any request that may be made to see the prisoners.

MR. PATRICK O'BRIEN: I do appeal to be allowed to see them, and to take down from them such statements as they may have to make.

[No Answer was returned.]

Disappearances of Seamen at Sea.

MR. J. JOHNSON (Gateshead): I beg to ask the President of the Board of Trade whether his attention has been called to the suicide at sea of a coaltrimmer named Abudallee on the "Alcana," of Liverpool, on 4th September, 1908; whether any inquiry was held; whether Abudallee had previous sea service; whether he was medically examined before joining the ship; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of suicide or supposed suicide amongst stokehold hands have occurred on this vessel.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): Yes, Sir; inquiry was held in the case of the "Alcana" by the Assistant Shipping Master at Calcutta. The man was shipped at Calcutta, and it was his first voyage, but I am not aware whether he had been medically examined. As the vessel is trading abroad, the Board of Trade surveyors have not yet had an opportunity of reporting on the ventilation of the stokehold. The coal consumption was 30 tons per twenty-four hours; and the number of firemen and trimmers, fifteen. No previous cases of suicide or supposed suicide on board this vessel have been supported.

MR. BELLOC (Salford, S.): Can the right hon. Gentleman name the owners of the ship?

MR. CHURCHILL: The names can easily be obtained. I do not carry them in my head.

MR. J. WILLIAMS (Glamorganshire, W.): I beg to ask the President of the Board of Trade whether his attention has been called to the disappearance at sea of a trimmer named Romezalla Shoralla on the ss. "Clan Lindsay," of Glasgow, on 17th September, 1908; whether any inquiry was held; whether the seaman was medically examined before joining the ship, and whether he had any previous sea service; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of suicide, supposed suicide, or disappearances amongst stokehold hands have occurred on this ship.

MR. CHURCHILL: Yes, Sir; inquiry was held in the case of the "Clan Lindsay" by the Acting Consul-General at Port Said, the Superintendent of the Mercantile Marine Office at Glasgow, and the principal Board of Trade officer at Glasgow. The man joined the ship at Calcutta, and had been medically examined. It was his first voyage. The Board of Trade surveyors reported that the conditions under which the man worked, so far as the ship was concerned, had no bearing on his disappearance. The spaces were not below the average in the matter of ventilation. The consumption of coal was 35 tons per twenty-four hours; and the number of firemen and trimmers was fifteen. One previous case of suicide occurred on board the "Clan Lindsay," and was the subject of a Question by the hon. Member for the Ince division on 3rd March last.

Suicides of Lascars.

MR. HAVELOCK WILSON (Middlesbrough): I beg to ask the President of the Board of Trade if he is aware that the Returns of deaths of seamen, reported to the Registrar of Shipping and Seamen in 1907, show that fifty-eight lascar firemen and trimmers committed suicide on British foreign-going ships in that year; and, seeing that the number of Asiatics employed as firemen and trimmers was 15,582, and among whom the proportion of deaths from suicide is thus shown to be as one in every 268 men employed, will he say what steps he proposes to take.

MR. CHURCHILL: I have had the Returns of deaths of seamen reported to the Registrar-General of Shipping and Seamen in 1907 carefully examined, but the result does not bear out the statement that fifty-eight lascar firemen and trimmers committed suicide in that year. The returns show that seventeen lascar firemen and trimmers were known to have committed suicide, five were supposed to have committed suicide, and twenty-two disappeared, making a maximum of forty-four lascars who may possibly have met their deaths by suicide. Moreover, the figure 15,582, represents only the number of lascars firemen and trimmers who were actually on oriental articles of agreement on a certain day in 1906, and does not include the large number of such persons who may have been ashore and unemployed on that day. The proportion of deaths by suicide as calculated by my hon. friend is, therefore, subject to considerable modification. The facts are, however, sufficiently serious to demand earnest attention, and I am taking steps to secure that every case is thoroughly investigated with a view to the discovery and if possible the mitigation of the conditions which lead to such frequent suicides amongst lascars.

*MR. REES: Is there any reason to believe that Europeans are available for and anxious for these duties, and that if they performed them there would be fewer suicides among them than among Asiatics?

[No Answer was returned.]

SS. "Bullmouth."

MR. KENDAL O'BRIEN (Tipperary, Mid): I beg to ask the President of the Board of Trade whether his attention has been called to the death at sea from heart disease of a fireman, named Leong Kan, on the ss. "Bullmouth," of London on 15th October, 1908; whether he was on duty at the time of his death; whether he was medically examined at the time of his engagement; whether he had had any previous sea service; whether he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of death from heart disease or supposed heart disease amongst stokehold hands have occurred on this vessel.

MR. CHURCHILL: Yes, Sir, inquiry was held in the case of the "Bullmouth" by the Vice-Consul at Algiers, the Superintendent of the Mercantile Marine Office at North Shields, and by the principal Board of Trade officer for the north-eastern district. The man was not on duty at the time of his death. He was engaged at Singapore, but I am not aware whether he had been medically examined or had had previous sea service. The consumption of coal was twenty-seven tons per twenty-four hours, and the number of firemen and trimmers was thirteen. No previous deaths from heart disease on board this vessel have been reported.

SS. "Karonga."

MR. HOGAN (Tipperary, N.): I beg to ask the President of the Board of Trade whether his attention has been called to the disappearance at sea of a trimmer named Abdool Momd Massislat, on the ss. "Karonga," of North Shields, on 19th September, 1908; whether any inquiry was held; whether the seaman was medically examined before joining the ship; whether he had had any previous sea service; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of suicide, supposed suicide, or disappearance amongst stokehold hands have occurred on this ship.

MR. CHURCHILL: Yes, Sir. Inquiry was held by the Acting Consul-General at Algiers in the case referred to by my hon. friend. The man was shipped at Calcutta, and I am informed that it is the practice for the crews of all vessels belonging to the owners of the "Karonga" to be medically examined when engaged at Calcutta, but I am not aware whether this particular man had been so examined or had had previous sea service. As the vessel has not returned to the United Kingdom since the date of the occurrence, the Board of Trade Surveyors have not yet had an opportunity of reporting upon the ventilation of the stockhold. The coal consumption was forty-three tons, and the number of firemen and trimmers was eighteen. One previous case of disappearance from this vessel has been reported.

SS. "Umkuzi."

MR. JENKINS (Chatham): I beg to ask the President of the Board of Trade whether his attention has been called to the death at sea from exhaustion of a fireman named Ravid Ullah on ss. "Umkuzi," of London, on 10th September, 1908; whether any inquiry was held; whether the seaman was medically examined before joining the ship; whether he had had any previous sea service; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of deaths from exhaustion, heat stroke, or heart failure amongst the stokehold hands have occurred on this ship.

MR. CHURCHILL: Yes, Sir. Inquiry was held in the case of the "Umkuzi" by the Deputy Port Conservator at Madras. I am informed that the crew were medically examined, but I am not aware whether the man had had previous sea service. As the vessel has been trading abroad since the date of the occurrence, the Board of Trade surveyors have not yet had an opportunity of reporting on the ventilation of the stokehold. I do not know what the present coal consumption is, but when last reported on, it was eighteen tons for twenty-four hours, and the number of firemen and trimmers was fourteen. No previous cases of death from any of the causes specified have been reported.

SS. "Indrani."

MR. HALL (Yorkshire, W.R., Normanton): I beg to ask the President of the Board of Trade whether his attention has been called to the suicide of a fireman named Mowtas Ali, at sea, on ss. "Indrani," of Liverpool, 18th August, 1908; whether any inquiry was held; whether the seaman was medically examined before joining the ship, and whether he had had previous sea service; whether the Board of Trade surveyors have satisfactorily reported upon the ventilation of the stokehold; if he can state the amount of coal the firemen and trimmers were required to work in each twenty-four hours; and whether any previous cases of suicide or supposed suicide amongst the stokehold hands have occurred on this vessel.

MR. CHURCHILL: Yes, Sir. Inquiry was held in the case of the "Indrani" by the British Consul at Amoy. The man was shipped at Singapore, and had not been medically examined, but had had previous service as fireman. He had been on board only one day and had done only one hour's duty. I have no reason to believe that the ventilation is defective, but as the vessel has been trading abroad the Board of Trade surveyors have not had an opportunity of reporting on it since the occurrence in question. The Consul states that the consumption of coal was twenty-three cwt. per hour, and the number of firemen and trimmers, sixteen. No previous case of suicide or supposed suicide on board this vessel has been reported.

SS. "Haslingden."

MR. HAVELOCK WILSON: I beg to ask the President of the Board of Trade whether his attention has been called to a case which was tried at the Swansea Police Court on 30th November last, when the master of the steamer "Haslingden" was summoned for non-compliance with the Board of Trade requirements respecting lifeboats; whether his attention has been called to the statement of Captain W. B. Whall, principal officer of the Surveyor's Department of the Board of Trade for the South Wales District, to the effect that it was the surveyor's duty to examine the life-saving appliances of a ship, but there were not enough surveyors to deal with one-tenth of the vessels, that they had statutory duties that were paid for and took precedence of every other duty, to measure new ships, inspect boilers, and that a vessel might go for years and never be seen by surveyor's; and whether, in view of this state of affairs, the Board of Trade will consider the advisability of appointing additional surveyors in order that the life-saving appliances of vessels may be properly inspected.

MR. CHURCHILL: My attention has been called to the case of the "Haslingden," and I am informed that the newspaper report of the evidence referred to is not quite accurate. The inspection of ships in matters of safety takes precedence over every other duty, and, if there were reason to think that the present staff was insufficient to secure proper inspection, it would be increased. It is not necessary nor is it indeed possible to inspect every ship when going to sea on every voyage, but every passenger vessel is inspected at least once a year, and in the Cardiff district I find that on the average the number of ships on which the life-saving appliances are inspected is over 100 per month.

North British Railway Company.

*MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade if his attention has been called to the action recently adopted by the North British Railway Company in booking their spare engine-drivers and fireman to be called when wanted, whereby the men cannot know at what time in any twenty-four hours they will have to go on duty, or even if they are required for duty at all; whether he is aware that in consequence these men are often called for duty when they have been waiting for long periods and are retiring to rest; and what steps, if any, he will take in the matter.

MR. CHURCHILL: I have been in communication with the railway company, and have received a reply of which I am forwarding a copy to the hon. Member. The company assure me that every effort is made to give the men as long notice as possible of the time when they will be required.

*MR. HUDSON: Will the right hon. Gentleman inquire if men have not been called on for duty after having already been waiting for work twenty-six hours?

MR. CHURCHILL: I am sending the hon. Gentleman a copy of the company's communication.

Mr. KEIR HARDIE: Has the right hon. Gentleman got any statement from the men?

Mr. CHURCHILL: No, Sir.

Port of London Lights.

Mr. McARTHUR (Liverpool, Kirkdale): I beg to ask the President of the Board of Trade whether he is aware of the objections which are entertained to the control of the local lights of the Port of London by Trinity House and the payment of the cost of the said lights out of the General Lighthouse Fund, while the local lights of the principal provincial ports are controlled by the Port Authorities and maintained by local dues; and whether he has it in contemplation to take any action in the matter.

Mr. CHURCHILL: I am advised that such a transfer as is proposed within the area of the Port of London would only result in a saving of between £3,000 to £4,000 a year to the General Lighthouse Fund, a saving which would be imperceptible to the shipowners, inasmuch as the annual expenditure out of this fund is about half a million. On the other hand, a much greater burden would be cast upon the Port Authority, as a duplicate staff and plant would have to be provided. In these circumstances I am not prepared to take any action in the direction proposed, but I should add that I have decided to reduce the light dues as from 1st April next by a further 10 per cent., representing an estimated saving to the shipowners of some £60,000 a year.

The Meat Inquiry.

Mr. COOPER (Southwark, Bermondsey): I beg to ask the President of the Board of Trade whether any circular has been issued by the Committee appointed to inquire whether the price of meat is controlled by any combination of foreign firms, offering to allow persons who may desire to give evidence the option of appearing before the Committee or, if they so desire it, before its chairman and secretary only, without the disclosure of their names and addresses; and, if issued, whether he can say on whose authority this has been done and whether it is in conformity with the procedure of Committees.

Mr. CHURCHILL: I understand that no such circular as my hon. friend suggests has been issued by the Committee; but in view of all the circumstances of the inquiry the Committee have thought it right to give certain witnesses the option of giving evidence under a guarantee of non-publicity. The Committee have control of their own procedure, and are entitled to take such steps as they may deem necessary and desirable to carry out the inquiry which has been entrusted to them. I may add that I entirely concur in the course taken.

Agrarian Offences in Ireland.

Mr. BARRIE (Londonderry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain from the police and Petty Sessions clerks in Ireland the number of persons who were arrested for agrarian offences during the past twelve months and brought before a single resident magistrate out of Petty Sessions, with a view to their being bound over to future good behaviour under the Act of Edward III.

The CHIEF SECRETARY for IRELAND (Mr. Birrell, Bristol, N.): I have already informed the hon. Member that it would not be possible to give this Return without communicating with every Petty Sessions district in Ireland. The utility of the Return would not be commensurate with the labour involved in preparing it.

Mr. BARRIE: Does the right hon. Gentleman suggest that it is detrimental to the public interest to get the information?

Mr. BIRRELL: Not at all. I will make inquiry as to the amount of labour it would impose, and if it can be done it shall. But I can make no promise until I find out.

Lansdowne Estate Evicted Tenant.

MR. P. MEEHAN (Queen's County, Leix): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the fact that Mrs. Rose Dunne and her son William Dunne, representatives of the late Michael Dunne, an evicted tenant on the Lansdowne estate, Queen's County, have made application for reinstatement to the Estates Commissioners; whether he is aware that these people sacrificed a great deal in the land war, and that they are most suited to work land; and whether the Estates Commissioners will allot them a holding, equivalent to the farm of sixty-two acres formerly held by Michael Dunne, when distributing land on the Cooper Hill estate about to be acquired by the Estates Commissioners.

MR. BIRRELL: The Estates Commissioners will consider this application in connection with the allotment of such untenanted land as they may acquire.

Proceedings against Irish Newspaper Proprietors.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any proceedings have yet been instituted against proprietors of newspapers who have disregarded the warning against publishing intimidatory resolutions passed by branches of the United Irish League.

MR. BIRRELL: Proceedings have been instituted against the proprietor of the *Longford Leader* in respect of the publication of certain resolutions in that newspaper.

Newpallas (Limerick) Evicted Tenants.

MR. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland is he aware that John Harty and Timothy Burke, both residing near Newpallas, in the County of Limerick, were several years since evicted from their farms on the property of the Erasmus Smith's Schools; is he aware that Lane, the planter on John Harty's farm, sent a friend to Harty requesting an interview, and said he was quite willing to leave the farm on behalf of Harty if he got any fair compensation, and that Griffin, the planter on Burke's farm, is willing to do the same on similar conditions; and will he take steps to arrange with those planters through the Estates Commissioners so as to restore Harty and Burke to their farms.

MR. BIRRELL: The applications of the two men referred to are, with others, now in the hands of one of the Estates Commissioners' inspectors.

Warden Estate, Sneem.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can now state what steps, if any, have been taken by the Estates Commissioners to deal with the townlands which were excluded, contrary to the wishes of the tenants, from the sale of the Warden estate, near Sneem, County Kerry.

MR. BIRRELL: If the owner institutes proceedings for the sale of these lands the Estates Commissioners will deal with them, but up to the present he has not done so.

Cork Labour Dispute.

MR. SUMMERBELL (Sunderland): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, in connection with a strike proceeding at the works of Sir Alfred Dobbin, Cork, peaceful pickets have been molested by the police and have been warned by a detective inspector that they were acting illegally; whether he is aware that several of the workmen concerned have been summoned under the Conspiracy Act, 1875; and whether he will take steps to ensure that these workmen are allowed the benefit of the Trade Disputes Act.

MR. BIRRELL: I am informed that it is not correct to say that there is a strike at the works of Sir Alfred Dobbin or at those of the firm of Dobbin, Ogilvie and Company, of which he is a director. The firm dismissed two men last month for refusing to deliver goods to the Cork Steam Packet Company, whose men were on strike. After the strike was over Sir Alfred Dobbin was asked to take back the two men, but declined to do so. A handbill was then circulated advocating the boycotting of the Palace Theatre of which Sir Alfred Dobbin is also a director, and pickets have since been posted nightly outside the theatre who take down the names of people entering. There is no strike at the theatre. Several persons have been summoned by the police under the Conspiracy and Protection of Property Act, 1875, in connection with this picketing, and the cases are now *sub judice*. Every precaution is being taken to ensure that the workmen of Cork shall have the full benefit of the Trade Disputes Act.

Waterville River Weir, County Kerry.

Mr. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Waterville River weir, Lough Currane, County Kerry, has been lifted during the week ending 12th December, thereby allowing a free pass to salmon; and whether, in view of the improved prospects secured thereby for the next fishing season, he will arrange that the weir will not be put down again during the rest of the present close season, nor in any other year during the close season.

Mr. BIRRELL: The Answer to the first part of the Question is in the affirmative. I am informed by the Department of Agriculture and Technical Instruction that the weir will not be fished again during the present close season, as it is not further required for hatchery purposes. No undertaking can be given as to future years.

Louth Untenanted Lands.

Mr. NOLAN (Louth, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to a resolution passed by the Louth County Council, on the 5th instant, protesting against a scheme on the part of the Estates Commissioners to place several planters from other parts of Ireland upon certain untenanted lands recently purchased from Lord Rathdonnell at Willistown and Mullinscross, in the Countyof Louth, and whether, in view of the reasons urged against any such scheme by the mover and seconder of the Resolution he can see his way to inviting the Estates Commissioners to reconsider their decision.

Mr. BIRRELL: The resolution has been received by the Estates Commissioners, and will be considered by them when making arrangements for the allotment of the lands in question.

Evicted Tenants Unprovided for.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland how many evicted tenants, including representatives of deceased evicted tenants, in Ireland, whose claims the Estates Commissioners recognise to be valid under the Land Act of 1903, and the Evicted Tenants Act, remain unprovided with holdings, old or new.

Mr. BIRRELL: The Estates Commissioners have noted the names of 1,649 evicted tenants or representatives of evicted tenants as suitable persons to be provided with holdings. The Commissioners propose to provide for the greater portion of these persons on lands in respect of which proceedings are now pending under the Irish Land Act, 1903, and the Evicted Tenants Act, 1907.

Land Purchase and Intimidation.

Mr. BARRIE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state in how many cases in 1906 and 1907 did the Estates Commissioners determine that the applications under the Land Purchase Act, 1903, should be postponed owing to the prevalence of intimidation on the particular estate; and in how many, if any, of such cases was their determination overruled by the Irish Government.

MR. BIRRELL: The Estates Commissioners did not postpone any cases in 1906 or 1907 on the grounds mentioned, but in one case they withdrew from the purchase of untenanted lands which were the subject of local interference.

Kilworth Military Barracks.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, seeing that the military barracks situated in the demesne of Moorpark, Kilworth, have been destroyed by fire, the Estates Commissioners would consider the feasibility of the acquisition by purchase from the War Office of the demesne lands, comprising 1,000 acres or more of good land, which could be made available for the purposes of the Estates Commissioners in providing for the enlargement and improvement of the holdings of tenants in the neighbourhood, portions of whose holdings have been taken for military purposes, and for the provision of holdings for evicted tenants and others; and whether an inquiry will be made into this matter.

MR. BIRRELL: The Estates Commissioners have no knowledge of the property referred to, but if it is offered to them for sale they will consider whether it is desirable to purchase it.

MR. WILLIAM ABRAHAM: Will the Estates Commissioners take the initiative in the matter?

MR. BIRRELL: I have no doubt when their attention is called to it they will consider what can be done.

Scottish Statute Law Revision.

*MR. DUNDAS WHITE (Dumbartonshire): I beg to ask the Prime Minister, in view of the Statute Law Revision (Scotland) Act, 1906, if he can say when the edition of the Pre-Union Scots Statutes (Revised) will be published.

MR. ASQUITH: I am informed that the Scots (?) Statutes (Revised), from 1424–1707, were published last May, and that the volume can be obtained from the Stationery Office on payment of 10s.

*MR. DUNDAS WHITE: Can the right hon. Gentleman say if a copy will be placed in the Library of the House?

MR. ASQUITH: I think so.

Education Grant and the Budget.

MR. CLOUGH (Yorkshire, W.R., Skipton): I beg to ask the Prime Minister whether, following the precedents of the Old-Age Pension Act and Budget, 1908, he can see his way to deal by a separate Bill to the Budget in 1909 with the £13,500,000 allocated to elementary education, so as to constitute the teachers of the elementary schools a branch of the Civil Service free from the imposition of all ecclesiastical tests, and so as to provide that the whole of these moneys shall only be expended upon those elementary schools that are completely controlled by popularly elected education authorities.

MR. ASQUITH: I am afraid that I am not at present in a position to give any indication as to the policy which His Majesty's Government will pursue in regard to the question raised by my hon. friend.

Workrooms for Unemployed Women.

MR. RAMSAY MACDONALD: I beg to ask the Prime Minister whether he has, in answer to a communication from the Women's Labour League, informed that body that the women's workrooms, conducted by the Central (Unemployed) Body for London, are now finding it impossible to dispose of the goods made in them; whether, before making the statement, he ascertained the impediments placed by the Local Government Board in the way of these workrooms trying to dispose of their goods; whether he is aware of the correspondence that has been going on during the summer between the workrooms' committee and the President of the

Local Government Board, complaining of the action of that Board in declining to give any indication as to what they might or might not do to dispose of their products; and whether, in view of the statement made by him that the Unemployed Workmen Act was this winter to be administered with more sympathy and elasticity, and to the fact that numbers of women have been registered in London for whom no assistance has been forthcoming, he will reconsider his decision not to encourage any extension in the workroom scheme now carried on in London.

Mr. ASQUITH: Yes, Sir, I have seen the correspondence to which the hon. Member refers, and I am not prepared to admit that the Local Government Board (without whose assistance the workrooms could not have been carried on) have unduly hampered the management of these workrooms by any indication or lack of indication of the policy to be pursued in disposing of their productions. I may add that there is no question of the discontinuance of these workrooms, and that a larger percentage of the registered and approved cases of unemployed women have been afforded work than in the case of the men who come within the same category.

Distress through Unemployment.

Mr. KEIR HARDIE: I beg to ask the Prime Minister whether grants from the central fund for the relief of distress due to unemployment will be made to localities in which no distress committees can be set up under the Act of 1905.

Mr. ASQUITH: The Unemployed Workmen's Act provides that grants shall only be made to distress committees. I understand from my right hon. friend that applications for the formation of such committees are being sympathetically considered, and that he has recently sanctioned the creation of several new committees. The whole question of the most efficient and elastic machinery for the administration of relief to distress is one to which I am giving my best attention.

Mr. KEIR HARDIE: But is not the real point of the question as to whether some method is not advisable to enable grants to be given in places where no distress committees can be set up?

Mr. ASQUITH: That is why I added the last sentence to my Answer.

Small Holdings.

Mr. MORRELL (Oxfordshire, Henley): I beg to ask the Prime Minister whether he is able to make any further statement as to the failure of the Small Holdings Commissioners to make Reports to the Board of Agriculture under Section 2 (3) of the Small Holdings Act; whether he is aware that the duty for making Reports arises immediately upon the Commissioners having ascertained in any locality the existence of a demand, and is not contingent upon any default by a county council, which can, in fact, only occur at least six months after a Report has been forwarded by the Board to the council under Section 3 (1) of the Act; and whether he will see that these statutory duties, which have hitherto been entirely disregarded, are now carried out according to their plain meaning by the Commissioners and the Board.

Mr. ASQUITH: I have this matter under consideration, but at the moment I am unable to add anything to the Answer I gave to my hon. friend the other day.

Hops Bill.

Mr. LAURENCE HARDY (Kent, Ashford): I beg to ask the Prime Minister whether, in view of the entire absence of opposition to the Hops Bill, except from a few of his own supporters, he will give the House an opportunity of discussing the Bill in Committee, as it is non-contentious from a Party point of view.

Mr. LEIF JONES (Westmoreland, Appleby): May I ask whether the opponents of this Bill are not to be found in every quarter of the House, and, therefore, it cannot properly be described as non-controversial?

Mr. COURTHOPE (Sussex, Rye): I beg to ask the Prime Minister whether his attention has been called to the fact that all the Amendments to the Hops Bill upon the Order Paper stand in the names of his own supporters; whether, in view of this fact, he will proceed with the Bill; and, if not, what steps he proposes to take to carry out the pledges given in July last to a deputation of hop-growers by Mr. Chancellor of the Exchequer and the President of the Board of Trade.

Mr. ASQUITH: I have nothing to add to the statement I made yesterday in Answer to similar Questions. In view of the Amendments on the Paper the Hops Bill cannot be regarded as coming within the category of measures which there is any likelihood of passing into law.

Mr. LAURENCE HARDY: Does the right hon. Gentleman intend that the opposition of a few of his supporters shall prevent this House remedying an admitted grievance? Will he undertake to take the first stages of this Bill at an early period next session?

Mr. ASQUITH: The Question of the hon. Gentleman does not actually represent the situation. It is not a question whether the Hops Bill is right or wrong, but whether it has universal assent in all quarters of the House. I am satisfied it has not. With regard to next session, I cannot give any pledge.

Mr. COURTHOPE: Will the right hon. Gentleman reply to the last part of my Question?

Mr. ASQUITH: We have taken all the steps we can.

The Suspension of Members.

Mr. BELLOC asked the Prime Minister whether he would afford any facilities for a Motion for the re-admission to the House of the hon. Member for Colne Valley, in view of the fact that the procedure on the question of the suspension of Members was now in a state of ambiguity and confusion.

Mr. ASQUITH: I do not think at this period of the session, when the business of the House is so nearly finished, that there would be any advantage in giving facilities to a Motion to re-admit the hon. Member for Colne Valley. If earlier representations had been made that there was a desire that the House should express an opinion on the matter, I should have been glad to give an opportunity.

Mr. BELLOC: Is not the right hon. Gentleman aware of the fact that the Question was put down late because if it had been put down earlier it would have taken a partisan character? My object is to raise the general question of the position of Members who have been suspended and to prevent a precedent being laid down.

Mr. ASQUITH: Quite so. I quite recognise the object of the hon. Member. The rule, unfortunately, is in a very chaotic state, and it is high time the House did something to fill up the gaps in the Rules of Procedure.

Proceedings against Mr. Farrell, M.P.

Sir C. SCHWANN (Manchester. N.) having asked the Under-Secretary of State for India whether he could make any statement with reference to the proposed reform of administration in India——

Mr. JOHN O'CONNOR said he desired to ask the Attorney-General for Ireland a Question, of which he had given private notice, concerning the prosecution in Dublin of an Irish Nationalist Member.

*Mr. SPEAKER: Notice should be given.

Mr. JOHN O'CONNOR: I have given private notice to the right hon. Gentleman.

*Mr. SPEAKER: But not to myself in accordance with Standing Order? I call on Mr. Buchanan.

Mr. JOHN O'CONNOR: I rise to a point of order. I beg to ask under what rule the Under-Secretary is making his statement.

*Mr. SPEAKER: It is by general leave of the House. The circumstances are, of course, exceptional, and it is only by pleading such circumstances that the hon. Member can make his statement.

Mr. JOHN O'CONNOR: The leave of the House has not been asked. When I asked my Question concerning the liberty of a Member of the House, you, Sir, ruled me out of order.

*Mr. SPEAKER: This question concerns the liberties of 250,000,000 people.

Mr. KEIR HARDIE: Is it not a fact that the Prime Minister's announcement yesterday that this statement would be made met with the general consent of the House?

Mr. JOHN O'CONNOR: It is not on the Order Paper, according to the Rules of the House. I am surprised that the liberty of an Irish Member is not considered by hon. Members to be worth anything at all.

REFORMS IN INDIA.

Sir C. SCHWANN (Manchester, N.) asked the Under-Secretary for India whether he was now in a position to make a statement with reference to the proposed reforms in Indian administration.

*The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The proposals of which I shall give a summary have been delayed much longer than we anticipated, and no one regrets that delay more than the Secretary of State. But it has this justification. He was anxious, and rightly anxious, to draw information and suggestions from the widest possible area of opinion, official and non-official, corporate and individual, British and Indian, in all grades and from all classes in India. The Blue-books will show that he has not failed in that duty. He thought that wide consultation of opinion was the best and surest means of securing, as he trusts he will secure for his proposals, the general consent and the hearty co-operation of all sections of the community. I want also clearly and emphatically to state that the Viceroy and Government of India are entirely with us, and no one could have been more actively helpful all through than Lord Minto. He it was who, more than two years ago, initiated these constitutional reforms, and it is largely due to his patience and persistence, to his tact and liberal-mindedness, that they have been brought into a final and finished form Hon. Members are aware that ever since the Government of India was taken over by the Crown fifty years ago, our aim has been gradually to associate the Indians in various ways and in varying degrees in the administration and government of the country. At present I want to deal, not with the past, but the future, and I would only say that just as the Indian Councils Act of 1861 marked the first stage on the Statute-book, and as that was followed by another Councils Act in 1892, so I hope that the Bill of 1909 when it becomes an Act will make a further and a real advance towards representative Government. Now, on touching upon the various topics, I think I may presume that hon. Members will bear in their minds the suggestions contained in the White Paper of a year ago. First of all, as to the Advisory Councils. It is not proposed to establish Advisory Councils, either Imperial or Provincial. The functions to be exercised by them will be better discharged, in our judgment, by the enlarged Legislative Councils. This, of course, does not imply any abandonment of the present useful practice of the authorities in provinces and districts informally consulting leading men on matters of public importance. I come now to the Legislative Councils, Imperial and Provincial. First, the alteration of their constitution, and secondly, the enlargement of their powers. The enlargement of these Councils, and the extension of their functions to the discussion of administrative questions, "are," say the Government of India, "the widest, most deep-reaching and most substantial features of the scheme now put forward." I will begin with the Provincial Councils. There is a general increase in numbers all round. I will not trouble the House with figures which will be in their possession in an hour. But the normal figure for the four large provinces will be (excluding the Governor or Lieutenant-Governor) forty-six, as compared with twenty-three, and smaller numbers for the three lesser provinces, namely, for Eastern Bengal and Assam, thirty-six; Punjab, twenty-four; Burma, sixteen. The members are divided into "official" and "non-official" members. In Madras, for instance, at present there are twelve official and eleven non-official members. I exclude the Governor in all cases. In Bombay the constitution is the same, but the existing Council works, and works well, with ten official and fourteen non-official members. We have determined to dispense with the necessity of maintaining an official majority on the Provincial Councils. This would give greater reality to the debates and the business of these assemblies. And if there are those who may be doubtful as to possible risks, I would remind them that the legislative powers of Provincial Councils are by law restricted to a limited field, and there is in reserve both the veto of the Governor and the general legislative powers of the Viceroy's Council. There will still be, as at present, non-official members nominated to represent special interests or minorities, or experts. The corporations of the Presidency towns, the Universities, and the chambers of commerce will return representatives. We intend to secure a representation of the landholding class, the Mahomedans, the planting community in certain provinces, and there will be a large increase in the number of members elected to the Councils by the municipalities and district boards. In Bengal there are now three members so elected, in the future there will be eight. In the United Provinces the increase will be from four to ten, and in Bombay from three to eight. The numbers on the Viceroy's Legislative Council will also be increased from twenty-four to sixty-two, excluding the Viceroy in both cases. But here we shall maintain a permanent official majority. We shall largely increase, from four to twelve, the elected representatives on the Viceroy's Council from the Provincial Legislative Councils: we shall endeavour to provide special representation of landholders and Mahomedans from various provinces, and we shall increase the representation of chambers of commerce and the Indian commercial community. These are dry figures, which will be more easily understood from the Papers, and with regard to which there are certain details not yet worked out. There are, as hon. Members are aware who have studied the question, difficulties in the method of obtaining representation of communities like the Mahomedans or landholders. We want to minimise nomination as much as possible, and we want to avoid creating special electorates if we can. Anyhow, we have made suggestions to the Government of India to the effect that it might be possible to devise a system of electoral colleges by which in the more advanced provinces the Mahomedans, landholders and other special communities might obtain their representation on the Councils in proportion to their numbers and importance without the creation of special electorates. We have not yet received the views of the Government of India on this subject and its practicability. But hon. Members will clearly see what our aim is. We recognise that there are special communities and interests which should and must get representation on the Councils. They would not obtain it if we were to introduce there our home electoral system. We want to secure it for them in the least invidious way, and the way most acceptable to themselves. Next, as regards the enlargement of the power of these Councils, both Provincial and Imperial. At present questions are allowed, and there are many put, on notice given, and the Budget is discussed annually after it has been finally approved by the superior authority. But there is no other material for discussion save the actual legislative measures from time to time laid before the Councils. Opinion is unanimous that the facilities for debate should now be extended. It is accordingly proposed that discussion of general administrative questions should be permitted upon resolutions which may be moved and divided upon by any unofficial member, such resolutions to take the form of recommendations to Government, and to have only such force and effect as Government, after consideration, shall deem due to them. Supplementary questions will be allowed. And the manner of presenting the Budget will be entirely recast, so as to permit of its consideration by the Imperial Legislative Council resolved into Committee—or by Standing Committees of the Provincial Legislative Councils—and the moving of recommendations to Government before its form is finally fixed by the Executive Government. It is difficult to summarise this part of our proposal, but hon. Members will find that that which I have endeavoured to summarise is set out in full detail in the despatch of the Government of India. It is all explained there, and the provisions apply both to Provincial Councils and the Viceroy's Council. It would be an incomplete work, however, if we did not go lower down in the scale of administration and government than the Provincial Councils. We want to make an effective advance in the direction of local self-government, and to do something to vivify and make popular the constitution and functions of the local and district boards, and other minor boards in the country. We look for detailed assistance in this matter from the Report of the Decentralisation Commission shortly to be issued. The object that we have in view is to train the people of the towns and districts of British India to manage their own local affairs intelligently and successfully; and in our opinion the control of Government in this department of administration should be exercised from without rather than from within. The Government should revise and check the acts of the local bodies, and not dictate them. The cardinal principles of this branch of reform are laid down in a celebrated Resolution of Lord Ripon's Government of India in 1882, which we shall endeavour to see effectively carried out. With regard to Executive Councils I have still a word to say. Hon. Members know that Madras and Bombay alone of the provinces possess Executive Councils. The work of Lieutenant Governors of the other large provinces has largely increased, and we believe it might lead to greater efficiency if in certain cases they were assisted by Executive Councils. We do not intend immediately to give every Lieutenant-Governor an Executive Council, but we propose to take Parliamentary powers for the purpose at once. We also propose to add to the numbers of the Executive Councils in Madras and Bombay either one or two additional members, and one of these we think should in practice be an Indian. We do not alter the constitution of the Viceroy's Executive Council, and the House is aware that the Secretary of State has power at present of recommending at any time to the King the appointment of an Indian, if qualified, to be a member of that body. Some of the proposals that I have adumbrated can be brought into operation at once, some will need legislation in India, and some will need legislation here. A Bill, as hon. Members know, will be introduced in Parliament early next session. The proposals are a real step forward, and go a long way to meet in Lord Minto's words "the political aspirations of honest reformers." They are intended to associate a much larger body of Indians in the work of government, to throw greater responsibility upon them, both in the higher and in the lower ranges of government, to maintain British supremacy clear and unchallenged at the top, but to endeavour to secure that under our guiding, directing, and restraining hand, that the Indians shall learn the work of administration and government in the only school worth anything, the school of experience. I would make an appeal to hon. Members of all parties, to men of good will, outside and inside the House, British and Indian. It is, it may be, a supreme moment, I hope a golden moment, in the relations between this country and India. Let these reforms have a chance, a fair chance in India. Every detail may not please every individual. Let them go forth from this House as the spontaneous and ungrudging offer of the British nation to the peoples of India. There is a fine saying of Milton's—

> "Let England never forget her precedence of teaching nations how to live."

We are here face to face with the greatest and most difficult problem of government that can try the capacity of our race. With a good heart, with a clear head, with a right mind, with quiet courage we shall not fail.

NEW BILL.

THEATRES BILL.

"To abolish the powers of the Lord Chamberlain in respect of stage plays and to transfer to the local authority the powers of the Lord Chamberlain in respect of the licensing of theatres in London," presented by Mr. Robert Harcourt; supported by Mr. Alfred Mason, Mr. Ponsonby, Sir Gilbert Parker, Mr. T. P. O'Connor, and Mr. Ramsay Macdonald; to be read a second time tomorrow, and to be printed. [Bill 411.]

STATUTE LAW REVISION BILL [LORDS].

Read the third time, and passed, without Amendment.

CONSTABULARY (IRELAND) BILL.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. BARRIE (Londonderry, N.) thought he was only doing his duty when he said that, in his opinion, this was a measure which fell very short indeed of that generous treatment, long overdue, to which the Constabulary were entitled. The wages of the Constabulary in Ireland had not been improved since 1883, and now in the expiring days of the session a measure had been rushed through the House which proposed to improve the position of only a portion of the force. Constables of seven years service got no increase, those between nine and eleven got nothing, those between twelve and thirteen got nothing, and all those of from twenty to twenty-five years service were left with a slight increase of 1s. a week, and yet they were told that the total increase was £15,000 per annum to the Treasury. The claim of the constables was admitted by the Chief Secretary who said that if they were met it would mean a further burden of £4,000 a year. He expressed his regret that in increasing the wages these important sections of the force had been left without the slightest alteration. He complained that under the Act of 1883 constables who were entitled to have a pension after twenty-five years service had another five years added to that term. Many might say that twenty-five years service was too short to entitle a man to retire on a full pension, but they had to remember that men enlisted upon that understanding, and it ought to be fully carried out. He realised that at this period of the session it was hopeless to discuss Amendments which would alter this state of things. There was no provision in the Bill to ensure promotion to constables with special talent. They had been promised that this provision should appear in the Bill and they regretted that it was not contained in the measure. He regretted that merit did not receive its proper reward. Other constabulary forces within the last twenty years had not only had their wages increased more than 1s. a week but there was an increasing tendency to make it more possible for constables to get promotion. The Bill in its present form was not likely to allay the feeling in the Force, and he feared that the result would make the condition of affairs generally more unsatisfactory.

MR. C. E. PRICE (Edinburgh, Central) looked with extreme regret upon the increased cost which was placed upon this country for the maintenance of the constabulary in Ireland, which was the most extravagant constabulary in the world. He regretted that the increased cost was not provided for by some reorganisation of the superior grades. The Member for Newry gave some extraordinary figures the other night as to the number of superior officers and the small number of men. He much regretted, therefore, that while improving the *status* of the rank and file, the Government did not reorganise the superior grades and obtain from that source the money required for the improvements in the position of the men. He also regretted that a complete change had not been made in the constabulary of Ireland. It was a force to which there was nothing analogous in this country, and he thought the sooner it was put under the control of the local authorities the better. From his own experience he knew that one could not stir a yard in Ireland without being shadowed by a policeman. While he was glad that the pay of these men should be increased still he regretted it was at the cost of this country.

Bill read the third time, and passed.

POISONS AND PHARMACY BILL [LORDS].

As amended (in the Standing Committee), considered.

***SIR W. J. COLLINS** (St. Pancras, W.) moved an Amendment which he said would bring in a large and worthy section of dispensers, who, if the qualified military dispensers were included in this clause, ought not to be excluded. They had passed an examination not less severe, and in recent legislation these persons had been included. They would be only eligible for registration on certain conditions, therefore, he hoped the Amendment would be accepted. He believed there was no objection to it.

Amendment proposed—

"In page 4, line 28, after the word 'dispensers,' to insert the words 'or of certified dispensers.'"—(*Sir W. J. Collins.*)

Agreed to.

Amendment proposed—

"In page 5, line 37, to leave out the word 'January,' and to insert the word 'April.'"—(*Mr. Herbert Samuel.*)

Mr. C. E. Price.

Agreed to. Bill read the third time, and passed, with Amendments.

APPELLATE JURISDICTION BILL [LORDS].

As amended, considered; read the third time, and passed, with Amendments.

COMMONS BILL [LORDS].

Considered in Committee, and reported without Amendment.

King's Consent and Prince of Wales' Assent signified.

Bill read the third time, and passed, without Amendment.

EDUCATION (SCOTLAND) BILL.

Lords Amendments considered, and agreed to. [Special Entry.]

PREVENTION OF CRIME BILL.

Lords Amendments considered, and agreed to.

LAW OF DISTRESS AMENDMENT BILL.

Lords Amendments considered.

Lords Amendment—

"In pages 1 and 2, to leave out Clauses 1 and 2, and to insert new clauses: '(*a*) Under-tenant or lodger, if distress levied, to make declaration that immediate tenant has no property in goods distrained; (*b*) penalty; (*c*) payments by under-tenant or lodger to superior landlord; (*d*) exclusion of certain goods; (*e*) exclusion of certain under-tenants; (*f*) to avoid distress; (*g*) commencement of Act; (*h*) repeal of 34 & 35 Vict., c. 79; (*i*) definitions; (*k*) Act not to extend to Scotland."

Read a second time.

MR. COURTHOPE (Sussex, Rye) on a point of order called attention to the fact that with the exception to the short title clause this was an entirely new Bill. He submitted that it would create a very dangerous precedent for this House to pass an entirely new Bill sent down from another place. This Bill, which came down from another House, was a Bill of ten clauses, the Bill which was sent to another House was one of two clauses.

*MR. SPEAKER: I have taken the best advice that I have been able to obtain, and I am informed that the substance of the two Bills is identically the same. The method of drafting is wholly different, but I understand it is in order to avoid the system of legislation by reference that the drafting has been altered. The clauses which the Lords desire to have passed, and have sent down to this House in the form of Amendments, are all covered by the principle of the Bill, and could have stood in the Bill at the time of the Second Reading. Therefore, I think it is possible to consider it.

SIR F. BANBURY (City of London) said he moved on behalf of his hon. and learned friend the Member for Kingston to leave out the word "material" in the new Clause A. He did not think it was desirable that the House should legislate that a person could make a declaration which he knew to be untrue and not be subject to a penalty. It was better to leave out the word "material"; therefore, he trusted that the hon. Gentleman in charge of the Bill would accept this small Amendment. He moved.

Amendment proposed to the Lords' Amendment—

"In Clause A, line 36, to leave out the word 'material.'"—(*Sir F. Banbury.*)

Question proposed, "That the word 'material' stand part of the Lords' Amendment."

MR. HERBERT (Buckinghamshire, Wycombe) said he had so much confidence in the acumen of his hon. and learned friend that he had taken the opportunity of consulting him upon this point. He might say that this was not a word that was now being enacted for the first time. It was a word which had stood in the principal Act, in reference to which they were now legislating, and had stood the test for forty years. No question had arisen about it, and as it had stood the test for so long, he thought it had better be retained.

Amendment negatived.

Amendment proposed to the Lords' Amendment—

"In Clause 3, line 8, after the word 'aforesaid,' to insert the words 'comprised in such inventory.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

MR. HERBERT said precisely the same objection applied to this. It was the wording of the principal Statute, and it was not desirable to alter it.

Amendment, by leave, withdrawn.

SIR F. BANBURY moved an Amendment to the new Clause E, which he said seemed to be necessary because the object of the Bill was to include lodgers who were not mentioned in the clause.

Amendment proposed to the Lords' Amendment—

"In Clause E, line 1, after the word 'undertenant' to insert the words 'or lodger.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

MR. HERBERT said it was not possible to accept this because the effect would be to cut down rights which lodgers already possessed. He had discussed this with his hon. and learned friend, and he had not intended to move it. The House of Lords had been very careful not to cut down those rights.

Amendment negatived.

MR. COURTHOPE said it was evident to anyone who had looked into the matter that not only the last four lines which he proposed to leave out, made the clause itself very clumsy, but they would be quite impossible to carry out. The first three lines were all that was necessary to cover the inclusion of certain under-tenants which the clause dealt with.

Amendment proposed to the Lords' Amendment—

"In Clause E, line 1, to leave out from the word 'tenant,' to end of clause."—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. HERBERT said he should like to accept the Amendment. He thought it was generally agreed that the words proposed to be left out would give rise to a great deal of litigation, and make it really unworkable, and it would be a great improvement if the words were left out.

Amendment agreed to.

Lords' Amendment amended in Clause F, line 4, by leaving out the words "whether by name or not."—(*Mr. Sydney Buxton.*)

MR. COURTHOPE said it must be evident to everyone that it was undesirable to bring the Act into operation about ten days from the time of its passage, and it would be more convenient in that way that some months should elapse after it was possible for the Act to reach the hands of those who would be affected by it for them to consider its terms.

Lords' Amendment, amended in Clause G, line 2, by leaving out the word "January," and inserting the word "July." —(*Mr. Courthope.*)

Lords' Amendment, as amended, agreed to.

Remaining Lords' Amendments agreed to.

Mr. Courthope.

PUBLIC MEETING BILL.

Considered in Committee.

(In the Committee.)

[MR. EMMOTT (Oldham) in the Chair.]

Clause 1:

MR. RADFORD (Islington, E.) conceived it to be possible, though unlikely, that disorderly conduct at public meetings might spring from women as well as men. He did not press the Amendment on the noble Lord if he thought it was unnecessary. He knew it might be said that under the Interpretation Act a person might be said to include a person of either sex. On the other hand the House of Lords had recently been employed in considering whether "persons" included women, and he suggested for greater clearness that it was desirable that those words should be there inserted.

Amendment proposed—

"In page 1, line 5, after the word 'person,' to insert the words 'of either sex.'"—(*Mr. Radford.*)

Question proposed, "That those words be there inserted."

LORD R. CECIL (Marylebone, E.) trusted the Committee would not accept the words. It was perfectly clear that "persons" did include both men and women, and to put in these words, which he could not think would be found in any Act of Parliament would merely lead to confusion and possibly some miscarriage of justice which they could not at present foresee. These were the ordinary words in Statutes dealing with any criminal offence, and it would be a pity to depart from ordinary usage. Unquestionably the Bill was directed to both men and women, and would be so construed, he had no doubt.

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields) said there were cases in which the word "person" had had to be construed in the Courts, but they were cases concerned with the exercise of public functions.

Amendment, by leave, withdrawn.

MR. RADFORD said the Bill was only introduced, he believed, on the 10th instant, and they had had it before them a week. Very little was known about it there or in the country, and as they were introducing an important change and creating new pains and penalties, some time should be given in order that His Majesty's subjects might become acquainted with the new law. Disorderly conduct at public meetings was practised in many parts of the country, and had been from immemorial times. It was a form of sport which was as well recognised as football. He was not prepared to say without a moment's notice that a man should be fined or imprisoned for doing that which they and their forefathers had done for generations. That being so, while he did not say a word in favour of disorderly conduct in public meetings, he thought it would be wise and discreet on the part of the noble Lord to accept this Amendment, so that persons concerned might know that a new offence for which they might be fined and imprisoned would come in force in twelve months time, and meanwhile that practice might go on.

Amendment proposed—

"In page 1, line 5, after the word 'meeting,' to insert the words 'held after the 31st day of December, 1909.' "—(*Mr. Radford.*)

Question proposed, "That those words be there inserted."

LORD R. CECIL said he quite sympathised with what the hon. Member said, but he trusted he would not press the Amendment. If the House was of opinion, and he thought it was, that the practice was against the liberty of the subject, properly understood, that it was one of the rights of the subject to hold public meetings and an essential part of our constitutional practice, and that this Bill was intended to secure that right and not to infringe any real liberty, it was not desirable that the practice of breaking up public meetings, however long-established, should go on for another twelve months. The possible danger of hardship was really not very great. The penalty was only £5—after all, not a very severe penalty—or a month's imprisonment, and he did not think it was at all probable that any Summary Jurisdiction Court would be at all over severe in dealing with the matter. Where the prisoners said they were not aware of the Act, and were not evilly-disposed persons, and nothing was known against their character, the probability was that they would be let off with a caution the first time and very likely the second. He really thought they need not be afraid that the penalty would be unduly enforced. It was very desirable that the Bill should not be amended on this occasion. He trusted that the hon. Gentleman who had expressed himself as a well-wisher of the Bill would not insist on the Amendment.

Amendment negatived.

Clause agreed to.

Bill reported without Amendments.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Lord Robert Cecil.*)

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) congratulated the noble Lord upon his achievement in legislation. He pointed out how easy it was to pass a private Member's Bill when there was general concurrence in its object.

Question put, and agreed to.

Bill read the third time, and passed.

HOPS BILL.

MR. J. A. PEASE (Essex, Saffron Walden) moved that the order for going into Committee on this Bill be read and discharged, and the Bill withdrawn.

MR. COURTHOPE said he should like to make an energetic protest against this proceeding on the part of the Government. [MINISTERIAL laughter.] It was all very well for hon. Members to laugh, but possibly occasions might arise in the future when they would be in a similar position, and when a Bill which they valued might be recklessly destroyed in this way. He thought he was justified in accusing His Majesty's Ministers of breach of faith in this matter. [MINISTERIAL cries of "No."] Yes, breach of faith. There was a definite pledge given so recently as July last by the Chancellor of the Exchequer and the President of the Board of Trade to a deputation of hop-growers that not only would the Bill be introduced, but that every effort would be made to place it on the Statute-book, and the only qualification that was made was that there should not be violent opposition from the Opposition side of the House. The opposition had come entirely from the supporters of the Government, and he thought he and his friends were justified in accusing the Government of a breach of faith in withdrawing the Bill merely owing to the ridiculous opposition — [MINISTERIAL cries of "Oh!"] He would substantiate that word—the ridiculous opposition of a small section of their own supporters who smelt protection in everything. He should like to ask those hon. Gentlemen—or some of them at all events—who supported the Miners' Eight Hours Bill, how they could justify their support of that measure if they saw protection in the Hops Bill. Surely the same arguments would hold good in both cases. He did not wish it to be understood from the protest he was offering now that the Hops Bill was everything which the hop growers desired. It was not. A drowning man, if he could not reach a lifebuoy, would grasp at a straw. The hop growers had not received fair treatment from the Government, but they were willing to substitute the straw. He felt that he could not allow the Bill to be withdrawn without making a vigorous protest about this latest failure on the part of the Government. Speaking at the National Liberal Club last week, the Prime Minister said they were met to celebrate a failure. He fancied that the hop growers would celebrate this failure in a striking fashion when the opportunity occurred. The seats of the hon. Members for Faversham and Tonbridge had simply been given away by the right hon. Gentleman. [Laughter.] The Prime

Minister laughed, but he would find that that was so when the time came. This would not be forgotten by those who were dependent upon this struggling industry. He thought the Members of the Liberal Party held themselves up as the laughing stock of the country when they talked about the action of the other House. They were not able to rule in the other House, but they had shown that they were not able to carry a Government Bill in this House.

MR. ASQUITH was sorry the hon. Member had allowed himself to use such language. His charge of breach of faith was absolutely unfounded; the Government had carried out their undertaking in letter and spirit. They introduced the Bill and tried to get it through, but he said most distinctly that unless it were treated as non-contentious it would be absolutely impossible to pass it. Now there were five pages of Amendments——

MR. COURTHOPE: From that side of the House.

MR. ASQUITH said it was no matter where they came from; he said it could only pass if accepted in all quarters as a non-contentious measure. He did not agree that it was a protectionist Bill, but some of his friends did, and he was not in a position to dislodge that conviction from their minds, and still less to treat their opposition as ridiculous. It was an opinion they were entitled to hold and, it being held by so large a number of Members, he being responsible for the conduct of business, found it impossible that the Bill could pass.

SIR F. BANBURY agreed that it was clearly understood from the Prime Minister that he would only proceed with the Bill if it proved to be non-contentious. Of course, it did not matter from which side the opposition came.

‡ MR. HAROLD COX (Preston) said many hon. Members opposite welcomed the Bill as a first step towards tariff reform. [Cries of "Name."] He would

not mention names, but the tariff reform Press had certainly welcomed the Bill as the first step towards tariff reform. They might be right or wrong, but if it was in accordance with free trade let the Bill be fully debated. In the circumstances the Government were fully justified in dropping the Bill.

*SIR W. J. COLLINS (St. Pancras, W.) regretted the language of the hon. Member for Rye, who was a useful member of the Committee. The Government had in no way been guilty of a breach of faith in the unfortunate action they had asked the House to take. The Committee had made a deliberate, exhaustive inquiry, and he regretted that it had not borne fruit in regard to the particular proposals embodied in the Bill. He reminded the House that the Committee, as the outcome of their deliberations, arrived at three conclusions. In the first place, they found there was no case for protection in the shape of a 40s. duty—the Report fully disposed of that proposal. Incidentally the Committee found that hop growers had two legitimate grievances, namely, that the use of hop substitutes was not prohibited here as in some foreign countries and in some of our own Colonies, and that foreign hops were accordingly imported unmarked, and in some cases mixed, while home-grown hops were not allowed to be so treated. For these two grievances the Committee recommended remedies. Lastly, they recommended that the Board of Agriculture should adopt a practice followed by the Department in the United States and give information to growers as to what was going on in other parts of the world, and information as to scientific cultivation and processes for the eradication of disease. He had been informed that it was the intention of the Board of Agriculture to take action in this direction. One result of the labours of the Committee was to dispose of the notion that an import duty would in the long run help hop growers, and he deeply regretted that time had not permitted the opportunity for disposing of the impression that this Bill had a protective character. He hoped that opportunity would be given early next session.

MR. MORTON (Sutherland) said he did not blame the Government or think the Bill had anything to do with tariff reform. It would, if passed, have been a step in the direction of temperance, and if it had thereby been a benefit to hop growers, he was sure it would have been welcomed. He hoped the Government would carry it through next session.

*MR. DUNDAS WHITE (Dumbartonshire) considered that the Government had taken the right course. From its introduction the Bill had been rather unfortunate. It was not introduced until a late period of the session. It was given a Second Reading on the assurance that there would be full opportunity for discussion in Committee, but there had been no time for that. No member of the Government had justified it on its merits. The justification appeared to be simply that it carried out the recommendations of the Select Committee. He ventured to say that a measure like this coming before the House ought to be considered on its merits. There were only two operative clauses. The first was designed to prevent the use of what were called hop substitutes, and it was to be observed that the description of those substances was intended to cover everything which could be used as substitutes for hops, whether they were used in substitution for hops or in addition to them. If it had been proposed simply to prohibit the use of deleterious substances, he should have been glad to support it. But that was not what the Bill did.

*MR. SPEAKER said this was not an opportunity for discussing the merits of the Bill. If the hon. Member wanted to do that, they must go into Committee.

*MR. DUNDAS WHITE said that under the circumstances, as there had been no opportunity of discussing the Bill, he thought the Government had acted very properly in taking the course they had.

LORD R. CECIL said his hon. friend the Member for Rye complained of the action of the Government in withdrawing this Bill, saying that he understood that the Government were pledged to pass it into law. Hon. Members opposite took it that his hon. friend was referring to the statement which the Prime Minister made a few days ago in dealing with the business of the session, but that was not the statement that was referred to, but one made very far back in August. He had not seen the statement, but he understood that it was of a much less conditional character than that made by the Prime Minister lately. For himself, frankly, he might say that he did not see his way to supporting the Bill in its present form. Although he did not think, strictly speaking, that it was a protective Bill, he thought it would not be for the public interest that it should be passed as it at present stood.

MR. BYLES (Salford, N.) said that the hon. Member for Rye complained that Amendments were put down by Members on that side of this House, and seemed to imagine that His Majesty's Opposition were the only persons who could legitimately place them upon the Paper. Members sitting on that side of the House, however, were entitled to criticise the Bill, and put down Amendments, and the measure ought to be fully discussed. They might, perhaps, be convinced by the Prime Minister or the hon. Member for Rye, and the Bill might be passed, but to push through a Bill of this kind, to which strong objection was taken, at that stage of the session, and at the eleventh hour, seemed to them to be improper. Therefore, they had insisted upon putting down Amendments, and, for his part, he was very glad that for this session the Bill had been withdrawn.

Order for Committee read, and discharged.

Bill withdrawn.

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Lords Reason for insisting on one of their Amendments to which this House hath disagreed, Lords' Amendments to the Bill in lieu of one of their Amendments to which this House hath disagreed, and Lords Amendments to certain of the Commons Amendments to the Lords Amendments to be considered forthwith.—(*Mr. Joseph Pease.*)

Lords Reasons and Amendments considered.

Lords Amendments agreed to.

MESSAGE FROM THE LORDS.

That they have agreed to—

Port of London Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1899, relating to the Edinburgh and Leith Corporations Gas." [Edinburgh and Leith Corporations Gas Order Confirmation Bill [Lords.]

PORT OF LONDON BILL.

Lords' Amendments to be considered To-morrow, and to be printed. [Bill 409.]

EDINBURGH AND LEITH CORPORATION GAS ORDER CONFIRMATION BILL [LORDS].

Read the first time; and ordered (under Section 9 of the Private Legislation Procedure (Scotland) Act, 1899) to be read a second time To-morrow, and to be printed. [Bill 410.]

Whereupon Mr. Speaker, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty-one minutes after Five o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Friday, 18*th December*, 1908.

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Returned from the Commons with the Amendments last made by the Lords agreed to, and with the Commons' disagreement to the Lords' Amendment not insisted upon.

PRIVATE BILL BUSINESS.

EDINBURGH AND LEITH CORPORATIONS GAS ORDER CONFIRMATION BILL [H.L.].

Returned from the Commons agreed to.

PETITIONS.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Petitions against: Of Caledonian Railway Company; Ipswich Chamber of Commerce and Shipping; Persons signing; read, and ordered to lie on the Table.

EDUCATION (SCOTLAND) BILL.

Petition for amendment of: Of school board of the parish of Dunfermline; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

INDIA (ADVISORY AND LEGISLATIVE COUNCILS, ETC).

Vol. II. Part I.—Replies of the Local Governments, etc., Enclosures I. to XX., to letter from the Government of India, No. 21, dated 1st October, 1908.

Vol. II. Part II.—Replies of the Local Governments, etc., Enclosures XXI. to XXX. to letter from the Government of India, No. 21, dated 1st October, 1908.

BOARD OF EDUCATION.

Reports from those Universities and University Colleges in Great Britain which participated in the Parliamentary Grant for University Colleges in the year, 1906–1907.

TRADE REPORTS: ANNUAL SERIES.

No. 4174. Norway (Trade for 1907 (Supplementary Report)).

No. 4175. Italy: (Foreign Trade for 1907).

TREATY SERIES, No. 34 (1908).

Exchange of Notes between the United Kingdom and France renewing for a further period of five years, the Arbitration Agreement; signed at London, 14th October, 1903 (Treaty Series, No. 18, 1903, 14th October, 1908).

COLONIES: ANNUAL.

No. 590. Grenada (Report for 1907).

INEBRIATES ACTS (DEPARTMENTAL COMMITTEE).

Report of the Departmental Committee appointed to inquire into the operation of the law relating to inebriates and to their detention in reformatories and retreats (Report, Minutes of Evidence, with Appendices and Indexes).

Presented (by Command), and ordered to lie on the Table.

PRISONS (ENGLAND AND WALES) (VISITING COMMITTEES).

Draft of Rules proposed to be made by the Secretary of State for the Home Department under the Prison Acts, 1877 and 1898, with respect to the constitution of the Visiting Committee of Carmarthen Prison.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

BUSINESS OF THE HOUSE.

Standing Order No. XXXIX. considered (according to order), and suspended for the remainder of the session.

A DELAY IN PRINTING.

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE): My Lords, I understand that it will be convenient to your Lordships if those Bills are taken which we have at this moment before us in print. Owing to the period of the session a certain amount of delay has, I understand, taken place in the printing, with the result that the Coal

Mines Bill, as amended, is not yet in your Lordships' possession. I therefore think it would be convenient if we proceed with the other Orders and take the Coal Mines Bill as soon as it is possible to do so.

Viscount ST. ALDWYN: May I ask your Lordships' attention for a moment to the extraordinary position in which we are placed. The proceedings of this House terminated before nine o'clock last night, and the printing might have been done for this morning's sitting long before noon. My experience of another place is that it is constantly done there. We might have had the Coal Mines Bill two or three hours ago if the printers had done their duty. The question I should like to ask is, whose business it is to attend to these matters in your Lordships' House, and why the printers cannot be compelled either to give up the task of printing for this House or to deliver Bills at the proper time.

Lord FITZMAURICE: I need hardly tell your Lordships that the control of the Government over the printing from day to day depends more on the general practice and rule of the House than on the initiative of the Government with regard to particular Bills. Having had the same experience as the noble Viscount in the House of Commons, and knowing the great and admirable rapidity with which the printers in the other House, especially at the end of the session, deliver printed matter at very short notice, I quite appreciate and understand what has just fallen from the noble Viscount. I am sure I can say that my noble friend the Lord Privy Seal, who is unavoidably absent at this moment, will make it his object to do what he can to obtain a remedy for such delays as have occurred, which are equally as inconvenient to His Majesty's Government as they are to noble Lords opposite.

Lord BALFOUR of BURLEIGH: My Lords, at times I have had a suspicion that the difficulty in the printing in connection with this House arises from differences in the printing contracts of the two Houses between the printers and the Treasury. I am not certain that I am right, so I put it tentatively. My belief is that the Treasury do not care to spend quite as much on the printing in this House as they spend on the printing in the other House, which has more control over the Treasury than we have. If the noble Lord conducts his inquiries in that direction, he will, I think, find some useful information.

Lord FITZMAURICE: Although undoubtedly the Government are responsible for everything which entails public expenditure, immediate responsibility in this matter rests not so much with the Government as with what is generally known as the authorities of the House. But I am sure I can, on behalf of my noble friend the Lord Privy Seal, promise that the matter shall receive attention.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [H.L.].

Read 3^a (according to order), and passed, and sent to the Commons.

POST OFFICE SAVINGS BANK (PUBLIC TRUSTEE) (No. 2) BILL.

House in Committee (according to order.) Bill reported without Amendment. Standing Committee negatived. Then (Standing Order No. XXXIX. having been suspended), Bill read 3^a, and passed.

COMPANIES (CONSOLIDATION) BILL [H.L.].

Order of the Day for the consideration of the Commons' Amendments, read.

The LORD CHANCELLOR (Lord Loreburn): My Lords, I propose to give your Lordships a few words of explanation with regard to this Bill. It was taken before the Joint Committee on Consolidation Bills, where it underwent a very careful examination extending over two or three days, and I was able to assure the House that it was strictly a Consolidation Bill. There now appear certain Amendments from the House of Commons. These Amendments are to remedy a small mistake that has been discovered in the wording, to incorporate an Act relating to the Colonies which has been passed since the

Committee sat in July, and to exclude certain clauses of the Consolidation Act which have been spent since the deliberations of the Committee. I have thought it necessary to see the officer responsible at the Board of Trade and satisfy myself that these Amendments are as stated. I propose to ask your Lordships to take the Amendments together, with the exception of the one which corrects a small mistake upon which I will say a few words in a moment.

Moved, "That the House doth agree with the Commons in their Amendments down to Clause 101."—(*The Lord Chancellor.*)

Lord ASHBOURNE: I gather that the noble and learned Lord on the Woolsack has satisfied himself that the Amendments made by the Commons are in entire harmony with this being a Consolidation Bill, and so recommends them to the House.

Lord LOREBURN: That is so.

On Question, Motion agreed to.

Lord LOREBURN: With regard to the other Amendment—in Clause 102—the matter stands in this way. In the clause as it was sent down to the House of Commons it was provided that certain copies of documents and also the register of mortgages should be open for the inspection of the public. It was not intended that copies of the documents, but only the register of mortgages, should be open to inspection by the public, but by the omission of two or three words in the former Act a different effect is produced. The Amendment of the Commons is, I am satisfied, to make the law what it was intended to be before consolidation.

Moved, "That the House doth agree with the Commons in their Amendment to Clause 102."—(*The Lord Chancellor.*)

On Question, Motion agreed to.

EAST INDIA LOANS BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

Lord FITZMAURICE: My Lords, in the absence of my noble friend the Secretary of State for India I beg to move the Second Reading of this Bill. It is an enabling Bill, and I do not think the character of the measure necessitates any further explanation. The Bill does not raise any large question of controverted policy, and, in the circumstances, I hope your Lordships will be ready to give the Bill a Second Reading.

Moved, "That the Bill be now read 2^a."—(*Lord Fitzmaurice.*)

Viscount MIDLETON: My Lords, I only propose to trouble your Lordships with one observation on this Bill. I believe that there will be a unanimous feeling of approval at the introduction of this Bill, and also that the Secretary of State has taken so considerable a sum that he will not be hampered by the conditions of the money market or otherwise in pushing forward the railways proposed under the Bill. If the noble Viscount the Secretary of State had been present, I would have urged him not to restrict his programme in the near future. For some years past larger amounts could have been profitably expended on railways in India, but the condition of the money market has made the Indian Council shrink from raising money at somewhat higher rates to meet the expenditure. Every mile of railway which has been laid in India has more than paid the interest on the money expended on it, and the effect of railway extension on India, commercially and in other respects, has been incalculable. I therefore hope the noble Viscount will not hesitate to come to Parliament even for further sums, if necessary.

On Question, Bill read 2^a. Committee negatived. Then (Standing Order No. XXXIX. having been suspended) Bill read 3, and passed.

TUBERCULOSIS PREVENTION (IRELAND) BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

Lord DENMAN: My Lords, the object of this Bill is to prevent the spread and to provide for the treatment of tuberculosis in Ireland. Your Lordships are no doubt aware of the terrible ravages of this disease in Ireland in recent years, and of the attempts which have been made to check it. I may mention that deaths from tuberculosis form 16·7 per cent. of the total mortality in Ireland. The Bill is divided into three parts. Part I. deals with notification and disinfection, and may be adopted by any rural or urban sanitary authority. When this Part is adopted it will be necessary for medical practitioners to notify certain cases of tuberculosis which occur in the course of their practice. It is not desirable or necessary that every case should be so notified, but only cases where there is danger of infection spreading. Part II. confers on county councils the necessary powers enabling them, if they think fit, to establish hospitals, sanatoria, and dispensaries for the treatment of tuberculosis. There is no compulsion upon those local authorities to establish such institutions, but it is left to them if they feel that the necessity exists in their counties for dealing with the disease in this manner to take steps for the purpose. Part III. deals with sanitary matters, and contains a number of provisions which may be availed of by local authorities for the purpose of combating the disease in some of its aspects. I may add that it has been my business now, I think, for three sessions to take some part in the arrangements at the end of the session as to the business of the two Houses. I think I am able, therefore, to form some idea of what it is reasonable to expect this House to consider at a late period of the session, and although my own ideas of what is reasonable may differ slightly from those of noble Lords opposite, more especially when they are in opposition, I confess it is with some misgivings that I move a Bill of this magnitude at this period of the session. Therefore I will only say that if there is any considerable opposition to it in any quarter I should not think of pressing the Bill at this period of the session. But if the Amendments are not numerous and the Bill does not meet with opposition after your Lordships have examined its provisions, I think it would not be unreasonable on my part to ask that it may be passed through all its stages to-day in order that it may become law before the prorogation.

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

Lord ASHBOURNE: My Lords, the noble Lord who has moved the Second Reading of this Bill has indulged in language rather conveying that he was giving a lecture to the House as to how Bills should be approached and considered at this period of the session. Each Bill, of course, has to be taken on its own merits, and there has been no desire in reference to this Bill, so far as I know, not to treat it with the sympathetic consideration which a measure dealing with this prevalent disease may require. The Bill is undoubtedly an important one, and I should have been glad if it had come up earlier so that it could have been gone through in some detail. I am aware of the spread of this dread disease in Ireland, and of the great efforts that have been made, notably with the sympathetic aid of Lady Aberdeen, to cope with it, and I would be extremely sorry if anything interfered to prevent this Bill passing into law. Experience may show the necessity for change, and the Bill may require to be supplemented as time goes on. When the Bill was first brought in a considerable amount of alarm was excited owing to the generality of the provisions for notification, and it was thought that there would be great anxiety if in every case where a person was seized with any form of this disease the doctor was bound to notify it, thus placing the person in a very painful and distressing position. This led to a modification in the Bill which I think has removed, to a large degree, the necessity for alarm. The Bill has attracted a good deal of attention and been discussed at length in another place, and it is not my desire to offer the slightest opposition to it. I hope it will become law, and that it will be attended by all the results anticipated by those who have so benevolently applied themselves to the examination and study of this question. With these remarks I readily accord, with every sympathy, my support to the Second Reading.

THE EARL OF HALSBURY: My Lords, I should not have intervened but for an observation made by the noble Lord in charge of the Bill with reference to the state of mind of those who are in Opposition. I think what he said is absolutely without foundation. I believe no harsher testimony has ever been borne against the practice of introducing Bills at a late period of the session than by those who sit on the same side as the Minister who introduced this Bill, and I do not think there is the least foundation for saying that there is any accentuation of the objection entertained to the late introduction of Bills according to the side on which noble Lords sit.

LORD KILLANIN: My Lords, I fully sympathise with the intentions of the Bill and desire to express my admiration for the extraordinary devotion, unselfishness, and energy which Lady Aberdeen has shown in endeavouring to cope with the terrible ravages of consumption to which the noble Lord who moved the Second Reading referred. But I should not like the occasion to pass without saying that, in my opinion, the measure will accomplish very little. It will possibly prevent a certain amount of infection, and, so far as hospitals are founded, will relieve those persons who go to the hospitals, but, speaking as one who lives in Ireland, I do not believe that the extent to which tuberculosis exists there is due to causes with which the Bill deals. The reason why the number of cases of the disease is so large in proportion to the population of Ireland is that the healthy young people are emigrating month after month, while unhealthy persons who seek to emigrate are sent back by the medical inspectors in Ireland or in America. This summer I had the greatest trouble in reference to the daughter of a peasant woman in my own neighbourhood. This woman had sent her daughter, eighteen years of age, who was apparently in the best of health, to America, and instead of hearing in a fortnight's time of her safe arrival she received a notification from some union in a suburb of Glasgow to the effect that her daughter was shut up in a lunatic asylum there. This girl had left Ireland in apparently the best of health, but, as a result of the voyage and the change of scene, had became more or less insane, with the result that when she arrived in America, she was sent back. Therefore you constantly have emigration of the healthy, while the unhealthy remain and become the parents of the next generation. There is another side to this question. None of the healthy emigrants come back to their native land; but the most appalling cases of consumption return to Ireland to die. I know of cases in my own neighbourhood where men have returned from America to spend the few remaining months of their lives hovering over the fireplaces in their old homes or in the homes of relatives who give them shelter, reading Yankee newspapers sent to them by their old pals in America, and actually expectorating consumption all over the floors of those houses. Those are, to my mind, the real causes of the terrible statistics of consumption in Ireland. Not alone is the emigration of the healthy and the return of the unhealthy the cause of the spread of tuberculosis in Ireland; it is also the cause of the terrible statistics with reference to madness. While the population of my county is dwindling we are constantly having to add new wings to the lunatic asylum, which is the only thing that is thriving in the county. I notice that the Chancellor of the Exchequer referred the other day to the enormous number of old people in Ireland. That is due to the fact that the young and middle aged who are healthy leave the country. Thus we are left in Ireland with an extraordinary and abnormal number of sick people, of mad people, and of old people.

LORD DENMAN: My Lords, I should like to say how grateful I am to both noble Lords from Ireland who have spoken for their references to the efforts of Lady Aberdeen and others to combat this disease, and I desire to thank the noble and learned Lord, Lord Ashbourne, for the friendly and sympathetic reception he has accorded to the Bill. I regret that I should have given him the impression that I was endeavouring to read a lecture to noble Lords opposite upon what they should or should not consider at this period of the session. I am afraid I must have expressed myself very badly, because all I was trying to point out was that I thought I had no right whatever even to ask noble Lords opposite to consider a Bill of this magnitude at the end of the session, and that it was only by the favour of the House that I could do so.

On Question, Bill read 2ª.

Then Standing Order No. XXXIX. having been suspended, committed to a Committee of the Whole House forthwith.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 to 11 agreed to.

Clause 12:

LORD DENMAN moved to amend this clause, which provided that—

> "A person shall not suffer any disqualification or any loss of franchise or other right or privilege by reason of his or any member of his family being admitted into and maintained in any hospital or workhouse hospital provided under this Part of this Act, or being treated in any dispensary so provided,"

by omitting the words "or workhouse hospital." He explained that this part of the Bill was not concerned with workhouse hospitals, and that the words were retained in the clause by an oversight.

Amendment moved—

> "In page 8, line 24, to leave out the words 'or workhouse hospital.'"—(*Lord Denman.*)

On Question, Amendment agreed to.

Clause as amended, agreed to.

Clauses 13 to 19 agreed to.

Clause 20:

LORD KILLANIN moved to omit Clause 20, which ran—

> "Any urban authority being a sanitary authority shall have power to provide that all meat killed outside the town and brought into the town for sale shall on the same day, before being exposed for sale, be brought into the abattoir or other place to be appointed by the council for inspection between the hours of eight o'clock a.m. and eleven forenoon, and shall not be sold or exposed for sale until after same has been inspected and passed as fit for human food, but no person shall be appointed or act as an inspector under this section who does not possess a certificate as a meat inspector."

The clause would enable urban authorities to lay down conditions which, in his opinion, would render it impossible, probably, for people who carried on the meat trade outside a town to continue their business at all. The clause was only inserted in the Bill late on Wednesday night in another place, and there had, therefore, been no opportunity for its consideration by those who would be most affected by its provisions. Neither had the clause been considered by the meat-consuming public, who, of course, would be affected. It might be said that, though the clause was not previously in the Bill, it was cognate to the other provisions, and therefore, might have been anticipated by those interested; but of the twenty-five clauses in the Bill, not one dealt with the meat trade in any shape or form. He submitted that the clause was an unfair and improper one, and would be most injurious, possibly, to a number of people who quite innocently and correctly followed this business in the country districts of Ireland. Could the noble Lord in charge of the Bill state that he had any evidence that any real injury had been done in the past by diseased meat sold in this way? He believed there were no statistics to prove that. Moreover, if diseased meat was, as a matter of fact, sold, there were the usual methods of punishment by fines and imprisonment. Some of the greatest scientific authorities differed as to whether human beings could contract tuberculosis from meat, and he therefore submitted that, without further evidence, Parliament ought not to cripple and injure, in the manner proposed, those persons who lawfully carried on an innocent trade.

Amendment moved—

> "In page 11, to leave out Clause 20."—(*Lord Killanin.*)

LORD ATKINSON said he was in entire sympathy with the Bill, because, although it might not succeed in grappling satisfactorily with the terrible disease of tuberculosis, no possible harm could result, and it might effect a great improvement. He regretted that a Bill conceived with that object should be disfigured by a clause like this, introduced at the last moment, and introduced, he thought there was more than a suspicion, in the interests more of butchers resident in an urban authority than of the suppression of this disease. He had no objection to the inspection of meat, but he thought it was evident, from the provisions of the clause, that it had been introduced in order to make impossible the importation of dead meat from the country into any urban authority.

LORD DENMAN said he understood this clause met with the approval of Irish Members in the other House, and he was also informed that a regulation, similar to this clause, was in force in the city of Belfast and had been found to work perfectly well. But, apparently, it had no friends in this House, and, having regard to the circumstances in which the Bill was being considered, he should certainly not oppose its omission at this stage.

THE MARQUESS OF LANSDOWNE: I am very glad to hear that His Majesty's Government do not intend to persevere with this clause. It is evidently a very drastic clause indeed, and we understand it formed no part of the original scheme of the Bill, and was inserted at the last moment. The danger of all legislation of this kind, however well meant, is that, if we make it too drastic and too inquisitorial, we set up a feeling of irritation and lose that public support and sympathy upon which the success of Bills of this character so largely depend. The Bill already contains some large and stringent proposals, and I am sure it is wise not to hamper it with this particular provision. The noble Lord mentioned that a somewhat analogous regulation was in force in Belfast. It would be instructive to know whether there is any rule of the same kind in any parts of the United Kingdom. So far as I am aware, there is not.

On Question, Amendment agreed to.

Remaining clauses agreed to.

Standing Committee negatived. Amendments reported. Bill read 3^a, with the Amendments, and passed, and returned to Commons.

POISONS AND PHARMACY BILL [H.L.].

Commons' Amendments considered (according to Order).

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, your Lordships will remember that long discussions have taken place in more than one session over this Bill, discussions which, I am glad to say, are now brought to a close by the few Amendments standing on the Paper to this Bill, and which I hope your Lordships will have no difficulty in accepting. They represent the final agreement which has been come to between the different parties—that is to say, the regular chemists on the one hand, and the representatives of drug stores and similar commercial bodies on the other. I do not know that there is any special point on which I need trouble your Lordships, and I will, therefore, proceed to move the Amendments. The Commons' first Amendment is to omit from the first subsection of Clause 2—

> '2. (1) So much of the Pharmacy Act, 1868, as makes it an offence for any person to sell or keep open shop for the sale of poisons, unless he is a duly registered pharmaceutical chemist or chemist and druggist and conforms to regulations made under Section one of that Act, shall not apply in the case of poisonous substances containing arsenic, tobacco, or the alkaloids of tobacco, to be used exclusively in agriculture or horticulture for the destruction of insects, fungi, or bacteria, or as sheep dips or weed killers, if the person so selling or keeping open shop is duly licensed for the purpose under this section by a local authority, and conforms to any regulations as to the keeping, transporting, and selling of poisons made under this section, but nothing in this section shall exempt any person so licensed from the requirements of any other provision of the Pharmacy Act, 1868, or of the Arsenic Act, 1851, relating to poisons,"

the words "containing arsenic, tobacco, or the alkaloids of tobacco," and to insert, after the words "weed killers," the words "which are poisonous by reason of their containing arsenic, tobacco or the alkaloids of tobacco." I move that the Commons' Amendment be agreed to.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

*THE EARL OF CREWE: The next Amendment is in paragraph (*a*) of subsection (3)—

"(3) His Majesty may, by Order in Council, make regulations as to: (*a*) The granting of licences under this section and the local authorities by which such licences may be granted; and"

The Commons propose to omit from this paragraph all words after the word "section."

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

*THE EARL OF CREWE: The next Amendment is to insert, at the end of the clause, the following new subsection—

"(4) The local authority for the purposes of this section shall, as respects the area of any municipal borough in England having a population of more than ten thousand according to the last published census for the time being, be the council of that borough, and as respects the area of any royal, parliamentary, or police burgh in Scotland, be the town council, and as respects any other place be the council of the county."

The local authority is defined in this Amendment instead of being left to be settled by regulation. I move that we agree.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

*THE EARL OF CREWE: The next Amendment is in subsection (4) of Clause 3. The subsection provides that—

"A body corporate, and in Scotland a firm or partnership, may carry on the business of a pharmaceutical chemist or chemist and druggist, if in every premises where the business is carried on the business is *bona fide* conducted by a manager or assistant being a duly registered pharmaceutical chemist or chemist and druggist, as the case may be, and if the name and certificate of qualification of the person so qualified is conspicuously exhibited in the shop or other place in which he so conducts the business."

The Commons propose to omit from this subsection all words from the first mention of the word "druggist," and to insert: "(*a*) if the business of the body corporate, firm, or partnership, so far as it relates to the keeping, retailing, and dispensing of poisons, is under the control and management of a superintendent who is a duly registered pharmaceutical chemist or chemist and druggist, whose name has been forwarded to the registrar appointed under the Pharmacy Act, 1852, to be entered by him in a register to be kept for that purpose, and who does not act at the same time in a similar capacity for any other body corporate, firm or partnership; and (*b*) if in all premises where such business as aforesaid is carried on, and is not personally conducted by the superintendent, such business is *bona fide* conducted under the direction of the superintendent by a manager or assistant who is a duly registered pharmaceutical chemist or chemist and druggist, and whose certificate of qualification is conspicuously exhibited in the shop or other place in which he so conducts the business." This was the clause round which the controversy raged for so long, and these Amendments in fact represent the compromise which I suggested earlier in the year when I received a deputation on the subject. They have been accepted by the Pharmaceutical Society and also by Lord Ebury on behalf of the cooperative stores, and I believe they may be said to represent the final and a very fair arrangement on the question. The real point was as to what ought to be done to prevent the formation of bogus companies, and I think these words, which have been very carefully thought out, meet that point altogether. Therefore, I move that your Lordships agree with this Amendment.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

LORD ASHBOURNE: As I understand, the governing idea in these subsections is that there shall always be in every establishment, whether it belongs to a company or an individual, a qualified pharmaceutical chemist, and that it will not be possible to get behind that by any regulation.

THE EARL OF CREWE: That is so.

On Question, Motion agreed to.

Commons drafting Amendments agreed to.

*THE EARL OF CREWE: The Commons Amendment to paragraph (*b*) of Clause 4—

"(*b*) Providing for the registration, upon payment of the prescribed fee, as pharmaceutical chemists or chemists and druggists under the Pharmacy Acts, 1852 and 1868, without examination, of any persons holding colonial diplomas or of qualified military dispensers who produce evidence satisfactory to the council of the society that they are persons of sufficient skill and knowledge to be so registered,"

is to insert, after the word "dispensers," the words "or certified assistants to apothecaries under the Apothecaries Act, 1815." This simply increases, to some extent, the discretion of the Pharmaceutical Society as to the persons they may recognise under their by-laws. It is considered that without the Amendment there would be some hardship.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

Commons verbal Amendment agreed to.

*THE EARL OF CREWE: In Clause 6—

"6. This Act may be cited as the Poisons and Pharmacy Act, 1908, and shall come into operation on the first day of January, nineteen hundred and nine,"

the Commons have made an Amendment leaving out the word "January" and inserting the word "April."

Moved, That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

*THE EARL OF CREWE: The next Amendment is a new clause—

"(*a*) Upon the death of any person registered under the Pharmacy Act (Ireland) (1875) Amendment Act, 1890, as a chemist and druggist or registered druggist and actually in business at the time of his death, it shall be lawful for any executor, administrator, or trustee of his estate to continue such business if and so long only as such business is *bona fide* conducted by an assistant being a duly registered pharmaceutical chemist or licentiate apothecary, or duly registered chemist and druggist, or duly registered druggist."

This clause deals with what is known as the widows' case—that is, where a business is allowed to be carried on by a successor in the family under certain circumstances. An extension is made to Ireland in this matter.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

THE EARL OF CREWE: The last Amendment is in line 9 of the Schedule—

"Belladonna, and all preparations or admixtures containing 0·1 or more per cent. of belladonna alkaloids."

The Commons have inserted, after the word "admixtures," the words "except belladonna plasters." Belladonna plasters are excepted, I believe, by general agreement, but I do not know why.

Moved, "That this House doth agree with the Commons in their Amendment."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

APPELLATE JURISDICTION BILL [H.L.].

Commons Amendments considered (according to Order).

THE LORD CHANCELLOR: The House of Commons have sent up certain Amendments to this Bill, which I think are very desirable. First, they have inserted after Clause 2, the following new clause—

"(1) Section 1 of the Judicial Committee Amendment Act, 1895, shall have effect as if the persons therein included any person being or having been Chief Justice or a Justice of the High Court of Australia or Chief Justice or Judge of the Supreme Court of Newfoundland. (2) The schedule to the Judicial Committee Amendment Act, 1895, shall be read as if the Transvaal and the Orange River Colony were included therein as South African Colonies."

After Clause 3, the Commons propose the insertion of the following new clause—

> "His Majesty may from time to time by Order in Council make a general Order directing that all appeals shall be referred to the Judicial Committee of the Privy Council until the Order is rescinded, and Section 9 of the Judicial Committee Act, 1844, shall have effect as if any such general Order for the time being in force were substituted in the first proviso to that section for the annual Order therein referred to, and the time for which the Order remains in force were substituted for the twelve months next after the making of the general Order. The expression 'appeals' in this section means appeals on petitions presented to His Majesty in Council, and includes any complaints in the nature of appeals and any petitions in the matter of appeals."

The other two Amendments are of a purely verbal character. I move that your Lordships agree.

Moved, "That this House doth agree with the Commons in their Amendments."—(*The Lord Chancellor.*)

On Question, Motion agreed to.

ASSIZES AND QUARTER SESSIONS BILL.

[H.L.]

Commons Amendment considered (according to order), and agreed to.

LAW OF DISTRESS AMENDMENT BILL.

Commons Amendments to Lords' Amendments considered (according to order).

LORD COURTNEY OF PENWITH: My Lords, your Lordships will remember that we completely transformed this Bill after it came up from the House of Commons, but I am happy to say that, on its being returned to them, the Commons only made three Amendments. The first Amendment alters the date when the Bill is to come into operation. Your Lordships inserted a clause providing that—

> "This Act shall come into operation on the first day of January one thousand nine hundred and nine."

The Commons propose to amend this clause by leaving out the word "January," and inserting the word "July." Considering how time has elapsed the reason for this is obvious. The next Amendment of the Commons is in the clause which provides that—

> "In cases where the rent of the immediate tenant of the superior landlord is in arrear it shall be lawful for such superior landlord to serve upon any under tenant or lodger a notice (by registered post addressed, whether by name or not, to such under-tenant or lodger upon the premises) stating the amount of such arrears of rent, and requiring all future payments of rent, whether the same has already accrued due or not, by such under-tenant or lodger to be made direct to the superior landlord giving such notice until such arrears shall have been duly paid, and such notice shall operate to transfer to the superior landlord the right to recover, receive, and give a discharge for such rent."

The Commons propose to amend this clause by leaving out the words "whether by name or not." This alteration is made at the instance of the Postmaster-General and deals with the sending of a registered letter, which, according to the regulations, must be addressed by name to the person for whom it is intended. With both of these Amendments your Lordships will, no doubt, agree. The otherAmendment is a more material one. The Bill, as sent down to the House of Commons, provided that—

> "This Act shall not apply to any under-tenant where the under-tenancy has been created in breach of any covenant or agreement in writing between the landlord and his immediate tenant, or where the under-tenancy has been created contrary to the wish of the landlord in that behalf, expressed in writing and delivered at the premises within a reasonable time after the circumstances have come, or with due diligence, would have come to his knowledge."

The Commons propose to amend this clause by leaving out all words after "the landlord and his immediate tenant." I have talked this matter over with the noble and learned Earl opposite. He has not seen his way to consent to the deletion of the whole of the words proposed, but would agree to a limitation. I therefore move to disagree to the Amendment made by the Commons in this clause, but in lieu thereof, after the words "or whether the under-tenancy has been created," to insert the words "under a lease existing at the date of the passing of this Act."

Moved, "That the House doth disagree to the Amendment made by the Commons in Clause (*e*), but in lieu thereof, after the word 'created' in line 4 of the said clause, to insert the words 'under a lease existing at the date of the passing of this Act.'"—(*Lord Courtney of Penwith.*)

THE EARL OF HALSBURY: I understand that the effect of the Amendment is this, that the new provision will only apply to leases made in the future, and that all leases already in existence will not be affected by the new statute?

LORD COURTNEY OF PENWITH: That is so.

On Question, Motion agreed to.

LORD COURTNEY OF PENWITH: As to the other two Amendments, I move that we agree.

Moved, "That the House doth agree with the Commons in the said Amendments."—(*Lord Courtney of Penwith.*)

On Question, Motion agreed to.

Bill returned to the Commons.

THE STRENGTH OF THE ARMY.

THE EARL OF ERROLL: My Lords, I beg to move the Motion standing in my name on the Paper.

Moved, "That an humble Address be presented to His Majesty for a Return in continuance of Army (213), 27th October: Showing on 1st January, 1909: (1) (*a*) Strength of Regular Army, officers and other ranks; (*b*) strength of Army Reserve, officers and other ranks; (*c*) Strength of Special Reserve, officers and other ranks; (*d*) strength of Territorial Force, officers and other ranks, distinguishing different arms. Showing also, 1st October, 1905: (2) (*a*) Strength of Regular Army, Officers and other ranks; (*b*) strength of Army Reserve, Officers and other ranks; (*c*) Strength of Militia, Officers and other ranks; (*d*) strength of Yeomanry and Volunteers, officers and other ranks. Also numbers wanted to complete on mobilisation: (*a*) Officers; (*b*) other ranks of the above forces on 1st January, 1909. Also estimated intake and output of Army Reserve annually, 1909–1915. Also estimated cost of 1 and 2 under each sub-head."—(*The Earl of Erroll.*)

THE UNDER-SECRETARY OF STATE FOR WAR (Lord LUCAS): We shall be very glad to give the Return.

On Question, Motion agreed to, and ordered accordingly.

WATER OF LEITH PURIFICATION AND SEWERAGE ORDER CONFIRMATION BILL.

Read 3ª (according to order), and passed.

SUMMARY JURISDICTION (SCOTLAND) BILL.

Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Read 3ª (according to order), with the Amendments and passed, and returned to the Commons.

CROFTERS' COMMON GRAZINGS REGULATION BILL.

Read 3ª (according to order) and passed.

House adjourned during pleasure.

House resumed.

PORT OF LONDON BILL.

Returned from the Commons with several of the Lords' Amendments agreed to; certain other Amendments disagreed to, with reasons for such disagreement.

CHILDREN BILL.

Returned from the Commons with the Amendments made by the Lords to the Commons' Amendment to the Lords' Amendments, agreed to.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Order of the Day for receiving the Report of Amendments, read.

Moved, "That this Report be now received."—(*Earl Beauchamp.*)

LORD BALFOUR OF BURLEIGH: My Lords, on the question that the Report be now received I should like to ask His Majesty's Government a question. I will preface it with only a few words. As the Bill was introduced it was to come into effect on 1st January, 1909, but, as a matter of course, when delay took place and an autumn session had to be called, the date was put off until July, 1909. I understand that at a late stage of the Bill, in another place, an alteration was made giving a preference to certain districts in the North-East of England, and making the date in their case 1st January, 1910. Last night a further Amendment was made in your Lordships' House, altering the date for all districts to 1st July, 1910, and of course in that case all are placed on the same level. Some of us ventured to speak very strongly against the preference shown to one district over another, on the ground that in the case of two districts competing, say, for the export of coal, it is radically unfair that one district, such as the East of Scotland, should be put at a great disadvantage as compared with another like the North-East of England. But that is not directly connected with the question of the postponement of the date of the coming into operation of the Act to 1st July, 1910. I felt at the time that decision was come to that it was rather a long postponement. I felt also that it was arrived at without a completely adequate discussion, having regard to the importance of the matter. The noble Marquess who leads this side of the House made a very distinct appeal to His Majesty's Government to give us some help and guidance in the matter, having regard to the fact that the preference, which was the cause really of much of the discussion last night, was almost universally condemned on all sides of the House. Personally I deeply regret that that appeal was not responded to, and I venture to think that even now, at this late period in the discussion of the Bill, it would be only proper if His Majesty's Government would tell us whether some other date earlier than July, 1910—one which would be more generally convenient and would give people time to make arrangements as to their contracts, but would not make any preference between one district and another—might not yet be accepted. As on this stage of the Bill your Lordships have not the right to speak more than once on any particular question, I thought it would not be inconvenient if I ventured to ask the Government whether, having regard to all that has taken place, they cannot give us some assistance in arriving at a solution that would be generally acceptable and avoid the much vexed question of a preference as between one district and another.

*THE EARL OF CREWE: My Lords, I think the question is a very reasonable one for the noble Lord to have asked after the discussion that took place yesterday, but in saying a few words upon it it is impossible for me to avoid the merits or demerits of different dates which the noble Lord himself avoided, partly because the discussion itself depends upon them, and partly because as no Amendment has been, so far as I know, moved to the conclusion which the House reached at our last sitting on this subject, there would be no opportunity except this of going into detail on the matter. The noble Earl, Lord Camperdown, when I last spoke, complained that I had given no very definite opinion on the subject; but when the Government bring in a Bill in a particular form it has to be assumed that, unless they make some definite suggestion to the contrary, that is the proposal which they desire to submit to the House. At the same time that does not, I think, prevent the Government doing what I did on the last occasion, which was to point out, as I hope quite frankly, that there are objections, so far as I can see, and I think we all agree, to every course that can be suggested in this matter. It very often happens in matters of policy, as your Lordships very well know, that there is no course which is entirely free from objection, and I think we are now in one of those situations. The question lies, I think I may say, between three different courses. There is the course which the House ultimately adopted, that of the postponement till July, 1910. The objections to that course I think are obvious. So far as the time of year is concerned, it is probably the best time that could be chosen, but still it is a very serious matter to postpone the operation of a Bill of this kind for a period of eighteen months; and it has to be remembered in this connection that those principally concerned, the coal miners, are not directly represented in this House, and that, therefore, their point of view was not and could not be explicitly stated. Under those circumstances the Government were not able to agree to such a long postponement. The next alternative is to make the Bill come into operation everywhere in January 1910. The noble Marquess who leads the Opposition directed his observations mainly to that point at the last stage of the Bill, and I think it was evident to everybody who listened to what he said that he and, I have no doubt, many who agree with him were most unwilling to take any responsibility whatever for that date. He pointed out, as I ventured to point out, that there might be some very considerable risk in bringing this Bill into operation in mid-winter for the whole country, and, as I say, the noble Marquess very clearly and explicitly announced that he meant to wash his hands of any responsibility that might arise from a panic and consequent rise of price, owing to that date being inserted. If that is the date which your Lordships prefer, I must say that it does not appear to me that you can divest yourselves of responsibility in this matter. Your Lordships take the responsibility sometimes of throwing out our Bills and at other times you will not take the responsibility of passing them. But, if you pass them, it really is not possible to say, being in possession of all the facts, that you at any rate will not hold yourselves responsible for whatever the consequences may be. The Government also, under those circumstances, are not willing to take that responsibility, and therefore we cannot undertake to agree to the date of January, 1910. Noble Lords will see that I have dismissed two of the alternatives. There only remains, as far as I can see, the alternative of the preference. That we know is strongly objected to on account of its being a preference, but I think it is only reasonable to point out that it was not assented to by the Government on the ground of its giving any preference to the counties of Northumberland and Durham, and the noble Earl on the cross benches warned us that he asked for no preference of the kind. The extension to January in favour of those two counties was given simply and solely on the ground of their statement, which my right hon. friend believes to be correct, that the mere organisation of labour owing to the peculiar system which obtains in these counties would be an exceedingly difficult thing to effect by so early a date as July. Under those circumstances my right hon. friend thinks, and the Government also think, that, although we fully admit the incidental objections which arise from a preference being given to those two counties for a period of six months and the unpleasant consequences which in some degree occur to other districts in consideration of that, yet on the whole the least objectionable of the three courses which I have indicated lies in the maintenance of the term as stated in the Bill. Therefore, while we do not ask your Lordships to readmit it at this stage, that remains the policy of His Majesty's Government.

*LORD AVEBURY: My Lords, as I proposed the Amendment which was adopted by your Lordships, without any opposition from His Majesty's Government, perhaps I may be allowed to say a few words on the subject. What was the position in which we found ourselves? The Government proposed that the Bill should come into operation for the country generally on 1st July next year, but for the counties of Northumberland and Durham not until six months afterwards. It was the general feeling in the House that it was unfair to give a preference to some districts over others. It was also clear that the Government were pledged to Northumberland and Durham that, so far as those counties were concerned, the Bill should not come into operation until January, 1910. Those seemed to be matters which were practically settled for us. Then came the question whether the date should be 1st January or 1st July, 1910. I think your Lordships were mainly guided in arriving at your decision by the views expressed on behalf of His Majesty's Government. At any rate that was my case. I had no particular preference for the date chosen, but I was much impressed by what was said from the Government bench. The noble Earl the Lord Steward said that—

> "it would be much harder on the consumer if the change took place in January than if it came in July,"

and my noble friend who has just sat down followed in the same sense. He said it would be—

> "infinitely more serious if the change took place in winter than it would be in the summer."

Those were very strong words. If this Bill is to come into operation in January it is to be infinitely more serious to the consumer than if it comes into operation in July. Those words impressed me, and I think it was that language on the part of His Majesty's Government which induced your Lordships to take the course you did. If His Majesty's Government think it would be better to adhere to 1st January, 1910, instead of putting it off for another six months, then I submit it is for them to take the responsibility. If the Government consider, on the whole, that the effect of the Act on the consumer will not be so great as the language they used yesterday led us all to suppose, then surely it is for His Majesty's Government to take the responsibility of themselves determining what is the best date upon which the Bill should come into operation, and I have no doubt your Lordships would respectfully take into consideration any opinion that the Government might express. But the responsibility of fixing the date is one which surely ought to rest with them and not with the House.

THE MARQUESS OF LANSDOWNE: My Lords, I am glad that my noble friend Lord Balfour has recurred to the history of this matter. He has renewed the appeal which was made last night for some guidance on the part of noble Lords who occupy the Front Bench opposite. I do not know that that guidance has been of a particularly vigorous or distinct description. Let me recall to your Lordships what happened last night. The noble Lord in charge of the Bill, replying to an Amendment moved by my noble friend Lord Newton, admitted that in his opinion there were very great objections to bringing the Bill into operation in the winter months, and he also let us see very plainly that to his mind there was also a good deal to be said against granting a preference to one class of collieries against another. His attitude certainly did not show that, so far as he was concerned, His Majesty's Ministers had any very decided or precise views on the subject. Then the noble Lord who leads the House, in reply to a challenge from myself, made his contribution to the debate. He also let us see quite plainly that in his opinion it was a very dangerous thing to give a preference to one part of the country as against other parts and, so far as I was able to gather, he showed a certain preference for accepting the date of 1st January, 1910, for the whole of the collieries. That left us in rather an embarrassed position, and Lord Newton said, I think very truly, that he detected an attempt on the part of the two front benches to bandy responsibility backwards and forwards between them. I think we are quite justified in throwing back the responsibility on the benches opposite. The noble Earl has spoken this evening as if we on this side of the House were responsible for the Bill to exactly the same extent as he and his colleagues. Clearly that is not the case. Responsibility lies with the authors of the measure. Noble Lords opposite declined to accept that responsibility. Thereupon the back benches intervened, and intervened with great effect, and an Amendment was carried which I dare say would not have been carried at all if His Majesty's Government had had the courage of their opinions and had told us frankly what in their opinion was and was not a possible arrangement. To-night I gather from the noble Earl that His Majesty's Government are opposed, in the first place, to a long postponement, which would carry the operation of the Bill to July, 1910. I gather that they are also opposed to taking the mid-winter date of January, 1910, and, therefore, the noble Earl is driven, I think rather reluctantly, to the conclusion that there is nothing for it but 1st July, 1909, and the retention of the preference. That is, so far as I was able to follow him, the conclusion which he recommends to the House. If that is so, all I can say is, speaking for myself, that if the Amendment carried last night does not find approval elsewhere, I will not take the responsibility of attempting to force it upon the framers of the Bill. I feel very strongly about, at any rate, one of the Amendments—the Amendment, I mean, which was put down and carried by my noble friend Lord St. Aldwyn. To my mind that Amendment is one of vital importance, and I regard it in an entirely different light from that in which I regard the Amendment we are now discussing. The Amendment moved by Lord St. Aldwyn does not in any way interfere with the machinery set up by the Government for working the Bill as soon as it comes into operation. This Amendment, however, would very materially disturb and interfere with a scheme prepared, no doubt, after due reflection by the Government—a scheme to which we now learn that they desire to adhere in its original shape. That being so, I think it my duty to say frankly that I would not go the length of endeavouring to persuade them to accept the Amendment.

LORD KNARESBOROUGH: My Lords, Lord Balfour has entered a protest on behalf of those interested in the coal trade in the East of Scotland. I cannot let the occasion pass without entering a protest also on behalf of those interested in the coal trade in Yorkshire. Those who are concerned with Yorkshire coal mines and who will have to start a second shift will be confronted with difficulties at least equal to those that would have to be met by the collieries in Durham and Northumberland. They think they will lose considerably in their contracts, both for export and gas coal, in their competition—and the competition is keen—with Durham and Northumberland. I have had communications to the effect that whatever date is fixed, let every one start fair.

On Question, Report of Amendments received.

Then (Standing Order No XXXIX. having been suspended) Bill read 3ª with the Amendments, and passed, and returned to the Commons.

CONSTABULARY (IRELAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD DENMAN: My Lords, in the year 1901 the late Sir Howard Vincent presided over a Committee appointed to inquire into various matters connected with the pay, allowances, and pensions of the Royal Irish Constabulary. The Committee came to the conclusion that the emoluments received by that force were in certain respects insufficient, and they recommended that in some cases the pay and allowances should be increased. Owing to the pressure of business in the House of Commons in recent years there has hitherto been no favourable opportunity of introducing a Bill on this subject. This being a money Bill I apprehend that your Lordships will not desire to amend it, at all events, not in any important respect; and bearing in mind the high character for efficiency and devotion to duty, frequently in very trying circumstances, borne by that splendid body of men, the Royal Irish Constabulary, I trust that your Lordships will give no grudging assent to the Second Reading of this Bill.

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

On Question, Bill read 2ª. Committee negatived. Then (Standing Order No. XXXIX. having been suspended) Bill read 3ª, and passed.

PUBLIC MEETING BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

THE EARL OF DONOUGHMORE: My Lords, your Lordships are probably aware, from painful experience, that attempts are sometimes made to disturb public meetings and to dry up the natural flow of eloquence that we should expect to find at them. Your Lordships are also probably aware that the law provides absolutely no remedy in such a case unless an actual assault takes place or the facts warrant an indictment for conspiracy. The object of this Bill is to make disorderly conduct at a meeting for the purpose of preventing the transaction of the business of the meeting an offence. I do not think it is necessary for me to remind your Lordships of recent events. I think it will not be denied that during the last three or four years the general tone of behaviour at public meetings has been of a distinctly lively character, culminating in a great meeting in the Albert Hall some ten days ago which was described to me by an eye-witness as pandemonium, and which has given rise to a rumour that the Chancellor of the Exchequer intends to address no more public meetings if anything in petticoats is allowed to form part of his audience. I do not know whether the rumour is true; but I cannot help sympathising with the Chancellor of the Exchequer, in view of the treatment he has had. Anyhow, I do not think it will be denied that disturbance, as a regular practice, is extremely undesirable. That is the case for this Bill. The Bill, perhaps, concerns Members of your Lordships' House less intimately than it concerns Members of the other House, but still we are not uninterested. I hope, therefore, that your Lordships will approve of the principle of the Bill. The first subsection of Clause 1 provides that any person who, at a lawful public meeting—I understand it is not lawful always to hold meetings in Trafalgar Square, for instance, and meetings of such a character will not come under the Bill—acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together—those words are important because they safeguard the practice of the heckler, whose questions and interruptions are generally a delight to the audience and sometimes to the speaker—shall be guilty of an offence, and, being summarily convicted thereof, shall be liable to a penalty not exceeding £5 or imprisonment for a period not exceeding one month. I am not actually wedded to the last three lines of the first subsection, and in Committee I will move an Amendment, drafted by the Government, slightly altering those words though not altering the intention of the clause. Subsection (2) makes special provision for Parliamentary elections. At Parliamentary elections, I am given to understand, though I have never had the privilege of going through one myself, feeling rises a great deal higher than at normal public meetings, and therefore it is felt desirable that the penalties of the Corrupt Practices Act, which are more stringent than the £5 fine in subsection (1), should be invoked. His Majesty's Government do not like subsection (3)—

> "(3) Any fine imposed under this Act may be recovered as a civil debt due to the Crown,"

and I shall ask your Lordships, in Committee, to amend it. I have fully explained the object of the Bill, and I ask your Lordships to pass it on the ground that the right of public meeting is of importance to the enjoyment of constitutional government.

Moved, "That the Bill be now read 2ª."—(*The Earl of Donoughmore.*)

LORD NEWTON: My Lords, it would obviously be an unfeeling and heartless action on my part if I were to interfere with the progress of a Bill which is urgently required for the protection of Members of the House of Commons, and especially of members of His Majesty's Government. I was given to understand that this was the Bill of a Member of the Opposition, but I rather gather from what has fallen from my noble friend that the Government have taken in under their protection. I suppose no Bill has been ever passed through the other House with greater rapidity than this one, except a Bill dealing with dynamitards, which, about twenty years ago, was passed through all its stages in less than an hour. The noble Earl has endeavoured to persuade us that nobody will be injured by the Bill; but I gather that any person who attends a meeting and shouts "Votes for Women," "Down with the House of Lords," or "Your coal will cost you more," will be liable to a penalty of £5 or imprisonment for a month; and when the noble Earl talks about the necessity of safeguarding free speech I should like to point out that he is interfering with one of the most cherished privileges of the public. It is an immemorial practice in the public life of this country to attend public meetings, not necessarily of one's friends, and the measure is such a startling departure from well-established national habits that I am disposed to suggest that, following the precedent to be established by another Bill which is before Parliament, it should be brought into operation by instalments. The most dangerous class ought to be dealt with first, and I would suggest, therefore, that in the first instance it should be applicable only to women, and at a subsequent stage it should be brought into operation in regard to adult males, and, at a still later stage, should apply to the rising generation.

EARL BEAUCHAMP: My Lords, I think I need only say on behalf of His Majesty's Government that they will be very glad to co-operate with the noble Earl opposite and afford every facility for the passing of this Bill.

On Question, Bill read 2ª.

Then (Standing Order No. XXXIX. having been suspended) committed to a Committee of the Whole House forthwith.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

THE EARL OF DONOUGHMORE said that, owing to the delay in printing, his Amendments were not available. He had, however, had three copies of them typewritten, one of which he had handed to the Government and one to the noble Earl in the Chair. The Amendments had been agreed to between those in charge of the Bill and His Majesty's Government, and he hoped they would be accepted. His first Amendment was in page 1, line 8, to leave out from the word "and" to the end of line eleven, and to insert the words "if the offence is committed"; and his next Amendment was to insert, at the end of line 13, the words "within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding £5, or to imprisonment not exceeding one month."

Amendment moved—

"In page 1, line 8, to leave out from the word 'and' to the end of line 11.'"—(*The Earl of Donoughmore.*)

*LORD ASHBOURNE said it was impossible to understand the full bearing of the proposed Amendments without having them before them. Again, what was the penalty under the Corrupt and Illegal Practices Prevention Act, 1883? The Bill would not, he hoped, be susceptible of being applied to cases where members of the audience indulged in what might be regarded as legitimate expressions of opinion owing to the way in which the facts were presented by a particular speaker.

THE LORD CHANCELLOR said he had been furnished with one of the few copies of the Amendments, and had tried, without success, to follow them. He had pieced them together, but they did not make English at all.

THE EARL OF DONOUGHMORE said the clause as he proposed to amend it would read—

"Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be guilty of an offence, and if the offence is committed at a political meeting held during the progress of a Parliamentary election he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding five pounds, or to imprisonment not exceeding one month."

The rest of the Bill went out.

THE LORD CHANCELLOR said that the copy of the Amendments furnished to him did not contain the latter half of what the noble Earl had read. Would not the better course be for the noble Earl to write out the clause as it was proposed to amend it, and substitute it for the clauses in the Bill?

THE EARL OF CAMPERDOWN said the substance of the Amendments might be known to two out of the three fortunate possessors of a copy—the Lord

Chancellor appeared not to understand it—but other noble Lords were in complete ignorance on the matter. The House had to meet to-morrow. Could not the Amendments, therefore, be printed and inserted on the following day?

Viscount MIDLETON expressed the hope that, if subsection (2)—

> "(2) Any person who commits an offence under this section at a political meeting during the progress of a Parliamentary election shall be guilty of an illegal practice,"—

were omitted, the proposed new clause which Lord Donoughmore had read should provide for the offence if committed "at a political meeting held during the progress of and in connection with a Parliamentary election."

The LORD CHANCELLOR agreed that it would be safer to insert the words "and in connection with."

Viscount MIDLETON hoped also that words would be inserted to cover disturbances occurring at meetings held in connection with municipal elections, especially in the Metropolis.

The Earl of DONOUGHMORE withdrew his Amendment, and said he would draft the Amendments in the form the Lord Chancellor had suggested, and bring them up to-morrow.

Amendment, by leave, withdrawn.

Bill reported, without Amendment; Standing Committee negatived, and Bill to be read 3ª to-morrow.

HOUSE OF LORDS OFFICES.

Order of the Day read for the consideration of the Third Report from the Select Committee.

The CHAIRMAN of COMMITTEES (The Earl of Onslow) moved the adoption of the Report, in which the Committee stated *inter alia*—

> "On the recommendation of the Committee in July last, Mr. Walter was appointed Reporter of the House at a salary of £650 per annum, such salary to cover the whole cost of reporting and all expenses of assistance. Most of the other duties in connection with the Reports have now been assigned to the Stationery Office, but there still remains the important work of receiving and dealing with Peers' corrections and editing the Reports before publication, which could better be performed by the Reporter responsible to the House than by any outside authority. The Committee therefore recommend that Mr. Walter should be appointed editor as well as reporter, at an additional salary of £100 per annum—making, in all, £750."

The noble Earl said: My Lords, in moving the adoption of this Report I need only say that it deals chiefly with the reporting of the proceedings in your Lordships' House. Arrangements have been made in that regard which, I think, are satisfactory, not only to this House, but to the Committee who have been considering the matter in another place, and who are also making arrangements for the reporting of their debates by an official staff. I beg to move the adoption of the Report.

Moved, "That the Third Report from the Select Committee be adopted."—(*The Earl of Onslow*).

On Question, Motion agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDER (No. 3) BILL.

Reported from the Select Committee with Amendments; and committed to a Committee of the Whole House to-morrow.

PORT OF LONDON BILL.

Commons reason for disagreeing to certain of the Lords Amendments considered (on Motion).

Lord HAMILTON of DALZELL: My Lords, there are two Amendments to which the Commons have disagreed, but they both deal with the same point. The first is in Clause 1, page 2, line 2, where your Lordships struck out the word "ten" and inserted "twelve"; and the second is in line 13, where your Lordships inserted—

> "By the Kent County Council, one; by the Essex County Council, one."

I beg to move that the House doth not insist on its Amendments to which the Commons have disagreed. This matter occurred so very recently and has twice been under discussion in the House that it must be fresh in the recollection of your Lordships. The Amendments to which the Commons have disagreed were inserted on the Motion of the noble Earl, Lord Darnley. Your Lordships will remember that two further Amendments were moved, one by the noble Duke opposite, and the other by Lord Desborough, having for their object the inclusion of Surrey and Middlesex and the borough of West Ham amongst the bodies who were to be represented on the Port Authority. I should like to make it clear, which I am afraid I did not do the other day—I have thought since that perhaps your Lordships' action was rather due to that omission on my part—that what the Government are doing in this is not intended in any way as a slight upon county councils. The Government have the very highest opinion of the value of county councils and of the work they do, and I am perfectly certain that if the constitution of this body had been in any way different these county councils and the borough of West Ham would undoubtedly have been included amongst the bodies who have representation on the Port Authority. The House knows that the intention has always been that this body should be, not of a municipal, but of a commercial character, and it was entirely for that reason that these four counties were omitted. It was stated, in the course of the debate here, that this matter was not considered by the Joint Committee. I do not think that was really the case, and I certainly never thought, during the two long and weary months in which I sat on this Committee, that we should ever be charged with not having given due consideration to any matter. This (indicating volume) is the Report of the Committee. Your Lordships can see that it is a volume of considerable size; and I do not think that any charge of that kind does lie against the Joint Committee. The claims of the two counties which your Lordships did include are entirely of a geographical nature, and the Joint Committee did not think it necessary to hear elaborate reasons for proving those claims. What we considered was this. There were two courses before us. The first course was to give representation to these four counties and to the borough of West Ham, but if we adopted that course we were met by a difficulty. If we wished to maintain the proportion between the elected and the nominated representatives on the Port Authority the inclusion of these extra five nominated representatives would have entailed our allowing nine more elected members in order to balance them. That would have meant that there would have been twenty-seven elected members and fifteen nominated members, making, in all, a body of forty-two members. That we considered would be an unwieldy and unbusinesslike body, and it was on that ground, and that ground alone, that we decided against including these counties. The only other possible course was the one we adopted, leaving out the counties altogether. We never thought for a moment of admitting some and leaving out others, and I think your Lordships will have seen from what took place yesterday that that course was likely to arouse a storm of indignation. The speeches to which we listened from the noble Duke and from Lord Desborough on that subject show how strong the local feeling is against anything of that sort being done; and the Board of Trade have had further proof this morning, if such were necessary, in a most indignant letter which I hold in my hand from the borough of West Ham. They protest, and I think with good reason, that it is unfair that representation should be given to Kent and Essex and should be denied to them. I submit that the course which the Joint Committee recommended, and which was embodied in the Bill as it came from the Commons, was the only course by which the three essential points in this matter could be attained, namely, that we should have a Port Authority of manageable dimensions, that we should maintain the balance of power as between the commercial and the municipal elements on the body, and that we should not do injustice as between the different local bodies. I would appeal very strongly to your Lordships not to insist on these two Amendments. I would ask you to consider that the Board of Trade have used every endeavour to meet all the reasonable objections raised in this

House and outside. What we have done in this House may not have been so apparent to the general body of your Lordships, because the Amendments which were accepted were agreed to outside and not on the floor of the House. But these were two very important Amendments agreed to at the instance of members of this House. The first was the Amendment made to Clause 6, where we agreed to strike out of the Bill the power which the Board of Trade asked for to vary the provisions of the Lands Clauses Acts. That Amendment will be in the recollection of your Lordships. I would also point to the other very important concession which was made at the instance of a noble Lord who was a member of the Joint Committee, Lord Ritchie, limiting the Port rates on goods to one three-thousandth part of the total. I think we have shown every disposition to meet reasonable opposition in this matter, and I would appeal to your Lordships not to impair the peaceful passage of the Bill at this late stage.

Moved, "That this House doth not insist on its Amendments to which the Commons disagree."—(*Lord Hamilton of Dalzell.*)

LORD DESBOROUGH: My Lords, I should like to support the appeal which the noble Lord has just made. I hope your Lordships will recognise that it is with no feeling of hostility to Kent and Essex that I made these remarks. Both of these counties are at the present time represented on the Thames Conservancy Board, and supply good and useful members; but the same thing can be said, with equal truth, of the other two counties whose claims were put forward last night—Middlesex and Surrey—and also of West Ham. I am confident that you would enormously increase the well-founded disappointment of those bodies if you selected only two counties to be represented and disregarded the claims of others having equal right to be represented. There are several ways of creating a new Port Authority, but the system selected by the Government is based on the principle that those who pay the dues should elect the representatives, who, therefore, will be persons well acquainted with the great shipping and trading interests of the port. Wherever we look we see, in connection with ports throughout the country, the municipal element being gradually eliminated in favour of the scientific trading element. It may be objected that although there are eighteen members of the new Port authority who directly represent the trade and commerce of the Port, there are still a large number of nominated members. The nominated members number ten, but these gentlemen will not represent any geographical or sectional interest; they will represent great Authorities whose voices should be heard in a business of the vast importance of the Port of London. Of the ten nominated members the Admiralty will appoint one. It is essential that the Admiralty, which is concerned with Woolwich and the defence of London, should be represented. The Board of Trade will appoint two representatives. The Department takes a paternal interest in this new body, and it is obviously necessary that they should have this representation. Then we come to the municipal element. I do not say whether the London County Council, which will elect two members from their own body and nominate two from outside, are given too many or too few representatives, but I contend that this is not the time to increase the nominated element. Then the Corporation of the City of London are to appoint one representative and nominate another. There is good reason for that, for from time immemorial they have been the Port Authority, and at the present time the Corporation spend £30,000 a year in carrying out the Port sanitary duties. Therefore, I think the Corporation is well worthy of having representation on the Port Authority. Trinity House, again, carry out the duties of buoying and lighting, and, therefore, should have representation. Without the slightest hostility to Kent and Essex I feel that I should not be doing my duty to Surrey and Middlesex and West Ham if I did not attempt to point out that it would occasion a sense of injustice to give to Kent and Essex representation which is denied to the other three, who also have representation on the Thames Conservancy Board at the present time.

THE DUKE OF NORTHUMBERLAND: My Lords, I shall not detain the House by re-arguing the question, but I think the remarks of the noble Lord opposite ought not to pass without notice. The noble Lord assured the House that the Joint Committee had fully considered all these questions, and he waved a voluminous Blue-book in order to convince us that that was the fact. No one has accused the Joint Committee of not considering the matter; but we know that they refused to give these local authorities any opportunity of stating their case for the consideration of the Committee. I confess that it is a rather peculiar argument to say that the Joint Committee fully considered a matter which they had never fairly stated to them. The local authorities are spoken of as merely having a geographical interest. I do not know what the noble Lord means by a geographical interest. They have the interests of the inhabitants who live along the river in their charge. The noble Lord said he spoke with great respect of county councils. I am extremely obliged to him for his kind remarks, but it would be more practical if His Majesty's Government would show that respect by giving these authorities credit for having something to say in the interests of their constituents and an opportunity of saying it. I daresay my noble friend Lord Desborough is right, that if all these bodies are not represented then none should be; but I confess I think county councils have very great cause of complaint that a Joint Committee of this kind absolutely refused to hear them when they made an application to be heard before the Committee.

LORD RITCHIE OF DUNDEE: My Lords, as a Member of the Joint Committee I should like to support the appeal of the noble Lord in charge of the Bill. I entirely agree with every word he said. We did consider this question, though we did not hear evidence on the subject. I therefore hope the noble Marquess who leads this side of the House may find it possible to give way in regard to these two Amendments.

On Question, Motion agreed to.

House adjourned at twenty minutes before Six o'clock, till To-morrow, Twelve o'clock.

HOUSE OF COMMONS.

Friday, 18th December, 1908.

The House met at Twelve Noon of the Clock.

PRIVATE BILL BUSINESS.

Edinburgh and Leith Corporations Gas Order Confirmation Bill [Lords].—Read a second time, considered, read the third time, and passed, without Amendment.

Thames Conservancy Bill.—Order [10th February], "That the Thames Conservancy Bill be committed," read and discharged. Bill withdrawn.—(*The Deputy Chairman.*

PETITIONS.

ENFRANCHISEMENT OF WOMEN.

Petitions for legislation: From Camberwell; Cardiff; Hurstpierpoint; and, Newcastle upon Tyne; to lie upon the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4174 and 4175 [by Command]; to lie upon the Table.

MERCHANT SHIPPING, 1907.

Return presented, relative thereto [ordered 30th July; *Mr. Churchill*]; to lie upon the Table, and to be printed. [No. 375.]

IRON AND STEEL, 1907.

Return presented, relative thereto [ordered 30th July; *Mr. Churchill*]; to lie upon the Table, and to be printed. [No. 376.]

COAL TABLES, 1907.

Return presented, relative thereto [ordered 30th July; *Mr. Churchill*]; to lie upon the Table, and to be printed. [No. 377.]

TEA AND COFFEE, 1908.

Return presented, relative thereto [ordered 30th July; *Mr. Churchill*]; to lie upon the Table, and to be printed. [No. 378.]

TREATY SERIES (No. 34, 1908).

Copy presented, of Exchange of Notes between the United Kingdom and France, renewing for a further period of five years the Arbitration Agreements signed at London, 14th October, 1903 (Treaty Series, No. 18, 1903, 14th October, 1908 [by Command]; to lie upon the Table.

EAST INDIA (ADVISORY AND LEGISLATIVE COUNCILS, ETC.).

Copy presented, of Vol. II., Part I. Replies of the Local Governments, etc. Enclosures I. to XX., to Letter from the Government of India, No. 21, dated 1st October, 1908; Vol. II., Part II. Replies of the Local Governments etc. Enclosures XXI. to XXX., to Letter from the Government of India, No. 31, dated 1st October, 1908 [by Command]; to lie upon the Table.

PRIVATE LEGISLATION PROCEDURE (SCOTLAND) ACT, 1899.

Return presented, relative thereto [ordered 11th December; *Mr. Sinclair*]; to lie upon the Table, and to be printed. [No. 379.]

INEBRIATES ACTS (DEPARTMENTAL COMMITTEE).

Copy presented, of Report of Departmental Committee appointed to inquire into the operation of the Law relating to Inebriates, and to their detention in Reformatories and Retreats. Report, Minutes of Evidence, with Appendices and Indexes [by Command]; to lie upon the Table.

PRISONS (ENGLAND AND WALES).

Copy presented, of Draft of Rules proposed to be made by the Secretary of State for the Home Department under the Prisons Acts, 1877 and 1898, with respect to the constitution of the Visiting Committee of Carmarthen Prison [by Act]; to lie upon the Table, and to be printed [No. 380.]

BOARD OF EDUCATION.

Copy presented, of Reports from Universities and University Colleges in Great Britain participating in the Parliamentary Grant in the year 1906–7 [by Command]; to lie upon the Table.

HIGHER EDUCATION (ENGLAND AND WALES).

Return presented, relative thereto [ordered 11th July, 1907; *Mr. McKenna*]; to lie upon the Table, and to be printed. [No. 381.]

COLONIAL REPORTS (ANNUAL).

Copy presented, of Report No. 590 (Grenada, Annual Report for 1907) [by Command]; to lie upon the Table.

PUBLIC ACCOUNTS COMMITTEE.

Copy ordered, "of Handbook to the Reports from the Committees of Public Accounts, Volume IV. (1901 to 1907, with Index comprehending the four Volumes (1857 to 1907)."—(*Mr. Hobhouse.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 382.]

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Royal Naval Reserve—Engineers and Engine Room Artificers.

MR. BOWERMAN (Deptford): To ask the First Lord of the Admiralty if he will state the numbers of the Royal Naval Reserve warrant engineers and engine-room artificers.

(*Answered by Mr. McKenna.*) The numbers borne on 1st December, 1908, were ninety warrant engineers, 616 engine-room artificers.

MR. BOWERMAN: To ask the First Lord of the Admiralty whether his Board contemplate enrolling the number of Naval Reserve artificers and warrant engineers as recommended by the Naval Reserve Committee.

(*Answered by Mr. McKenna.*) It is not contemplated working to the numbers recommended by the Committee, as those numbers are not now considered necessary.

Admiralty Contracts—Standard Wages.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the First Lord of the Admiralty what is the present procedure of the Admiralty to secure a reasonable standard of wages, hours, and conditions of employment in respect of unorganised labour indirectly employed by sub-contracting of any portion of work to carry out Admiralty contracts; whether he has considered the principle adopted in a Standing Order made by the Sheffield City Council, on 10th April, 1907, that, in municipal contracts in respect of organised trades, the standard wages, hours, and conditions as generally recognised by the trade unions and the employers should be enforced, but that in respect of unorganised workers, where there are no such recognised standards, the council will itself prescribe reasonable standards of wages, hours, and conditions of employment in respect of any such sub-contracted work under the municipal contracts; and whether the Admiralty, in offering contracts in the carrying out of which unorganised labour is employed by sub-contracting or otherwise, will adopt this principle and prescribe the rates of wages, hours of labour, and conditions of employment.

(*Answered by Mr. McKenna.*) The whole subject has recently been under the investigation of the Fair Wages Committee, whose Report will shortly be in the hands of hon. Members and will receive the careful consideration of His Majesty's Government.

Training of Unemployed with the Navy.

MR. PRETYMAN (Essex, Chelmsford): To ask the First Lord of the Admiralty whether he is aware that there are a large number of skilled artisan Naval Volunteers out of work and in great distress, that application was made to the Admiralty for permission for them to train with the Navy, and that this was refused; and whether, as the War Office grant permission to the unemployed to perform military training and receive pay for the same, he will state on what grounds a similar privilege has been denied to the unemployed Naval Volunteers.

(*Answered by Mr. McKenna.*) Such an application was made to the Admiralty, but it was considered that there was no sufficient reason of naval requirement to justify the proposal, the winter months not being suitable for the embarkation of Naval Volunteers in the Fleet.

Grant to Charles Phelan, Evicted Tenant.

MR. P. MEEHAN (Queen's County, Leix): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Charles Phelan, of Clopook, was evicted by Lord Lansdowne from his farm in Fallowbeg, Luggacurran, Queen's County; whether Charles Phelan has been reinstated in a farm considerably less than his former holding; whether the Estates Commissioners, acting on the report of their inspector, Mr. Pattison, sanctioned a free grant of £100 to Phelan to build a house on condition that he spent at least £150 on the building, and that the first advance of £50 would be made when he had work done to the value of £75; whether it is impossible for Phelan to carry out this condition; and can he say why Charles Phelan has been treated differently to the other reinstated tenants for whom houses were built.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that Charles Phelan was evicted from a holding of forty-three acres, now in the occupation of a tenant purchaser, the yearly rent of which was £47. The Comissioners have provided him with a holding of twenty-six acres, subject to an annuity of £14 8s. 8d. Charles Phelan lives in another holding on the estate, of which his brother, an Excise officer, is the tenant purchaser, and the Commissioners are not prepared to make an advance to him for the building of a house on his own holding unless he contributes to the cost in the manner stated in the Question.

Grant to Catherine Mackey, Evicted Tenant.

MR. P. MEEHAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware if Catherine Mackey, a reinstated evicted tenant on the Lansdowne estate, Luggacurran, Queen's County, appears in the list of advances made by the Estates Commissioners as having received £200 to buy stock for her farm; whether this money was issued by the Commissioners by cheque or cash; whether he is aware that, although this advance was sanctioned and advanced nearly two years ago, Catherine Mackey has not yet received any portion of the money; if he is aware who was the inspector in charge of this case; and whether the accounts in which this grant appears as being paid have been audited.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that by a clerical error the £200 in question was included in the column of the Return headed "stock" instead of appearing in the preceding column headed "buildings." All payments sanctioned for buildings on this estate have been made.

Pension of Mrs. Brook of Pudsey.

CAPTAIN FABER (Hampshire, Andover): To ask the Secretary of State for War whether Mrs. M. A. Brook, of Pudsey, who has until now received a pension of 7s. a week for nursing services rendered by her in the Crimean War from the Royal Patriotic Fund Corporation, has received notice that she must relinquish that pension on 1st January in favour of an old-age pension, which she has not asked for; and whether she will be paid the difference between the two pensions.

(*Answered by Mr. Hobhouse.*) I am informed that Mrs. Brook, of Pudsey, was not in receipt of a pension from the Royal Patriotic Fund Corporation issued to her as hers as a matter of right, but was granted in 1900 as a charitable allowance as widow of Private John Brook, 7th Fusiliers, who had served through the war with Russia, 1854–6, and who had died on 30th August, 1894. Mrs. Brook, as being over seventy years of age, has been told by the Corporation to apply for an old-age pension, and has, it is understood, been successful in obtaining such pension. I understand that her case will receive further consideration for an allowance in supplement of her old-age pension, and, following the ordinary rule in these cases, such allowance with the old-age pension would equal the allowance hitherto issued by the Corporation, if the circumstances of the widow as they now are should, in the opinion of the Corporation, justify the issue of such supplementary allowance. The matter appears to be one which is within the discretion of the Corporation.

Division of Untenanted Land at Cahirdown.

MR. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the untenanted lands at Cahirdown, near Listowel, have been offered to the Estates Commissioners by Miss Brown, the owner, for division amongst the poor people of the district; and whether the lands have been inspected and reported upon; and, if so, with what result.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the owner has accepted their formal proposal to purchase this estate, and that they have referred the papers in connection with the matter to one of their inspectors to prepare a scheme for the division of the lands.

Division of Untenanted Land on the Blacker-Douglas Estate.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the untenanted lands on the Blacker-Douglas estate at Tullihinal, North Kerry, have been bought by the Estates Commissioners; and, if so, when will they be divided amongst the poor people of the district.

(*Answered by Mr. Birrell.*) These lands have not been bought by the Estates Commissioners, but are being sold by the vendor to persons coming within Section 2 of the Irish Land Act, 1903, who will sign purchase agreements at prices estimated by the Commissioners.

Delay in Issue of Rules for the Irish National Education Board.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that it is only within the past week or so that the rules and regulations of the National Education Board, for the year commencing 1st July last, were issued; and if he can state the reason for the delay of this publication supposed to have been operative during the past five months.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the order for the publication of these rules was held over in the hope of including a statement as to the mode of distribution of the grant of £114,000. Owing to necessary delays in making arrangements for the distribution of the first issue of the grant the rules had ultimately to be published without this information. So far as the Commissioners are aware little or no inconvenience has been caused by the delay.

Moonlighting Outrage at Kilmanihan.

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that recently a moonlighting raid took place at Kilmanihan, between Brosna and Knocknagoshee, East Kerry, when the houses of Andrew Mulcahy, Thomas W. O'Connor, Michael O'Connor, David Murphy, and Daniel Murphy, were fired into, and notices posted on their doors warning them to give up their land or they would suffer death at the hands of Captain Moonlight; whether the five men named had only recently been allocated their farms by the Congested Districts Board; what arrests have been made; and what sentences passed on the perpetrators of the outrages.

(*Answered by Mr. Birrell.*) On the 4th instant, at about 12.30 a.m., notices were posted as stated, and shots were fired into the houses of four of the five persons named. When the Collis Sandes estate was purchased by the Congested Districts Board portion of a grazing farm was divided among these men, and the notices warned them to give up this land. The police have not up to the present been able to make any arrests.

Reinstatement of Michael Tiernan.

MR. PATRICK WHITE (Meath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether there is any likelihood of Michael Tiernan, Woodmill, Townley Hall, Drogheda, being reinstated in his own or an equivalent holding; and what is the cause of the delay.

(*Answered by Mr. Birrell.*) The Estates Commissioners have referred the papers in this case to one of their inspectors with a view to providing Tiernan with a holding.

Government Tugs at Portsmouth.

MR. BRAMSDON (Portsmouth): To ask the First Lord of the Admiralty if he will state how many Government tugs there are at Portsmouth, and what are their names; have they all been regularly at work during the past twenty-eight days; if not, which ones have been off duty and the cause; to what extent have double boats been at work; is it contemplated to lay up any boats in dockyard hands; if so, what arrangements are being made to take their place, having regard to the congested state of the work; is it also contemplated dispensing with any existing tugs and when; have any new ones been arranged for; and, if so, when will they commence work.

(*Answered by Mr. McKenna.*) Six tugs are attached to Portsmouth Dockyard for general service, viz., "Malta," "Dromedary," "Volcano," "Camel," "Enterprise," and "Manly"; they have all been regularly at work during the past twenty-eight days except the "Dromedary," which was laid up for boiler test, etc., from 16th November to 7th December. Two tugs have been detailed for concurrent night duty *i.e.*, "standing by" for emergencies, on six nights during spring tides. It is contemplated to lay up two tugs in dockyard hands shortly. No special arrangements have been made to take the place of these two vessels. It is anticipated that the work can be carried out by the remaining tugs. A new tug is being completed for Portsmouth, and is expected to take up her duties there early next year, but it has not yet been decided whether one of the existing tugs shall then be dispensed with.

MR. BRAMSDON: To ask the First Lord of the Admiralty if he will state the average number of hours per day the men have been on duty in the Government tugs at Portsmouth during the past twenty-eight days; whether in doing so six or seven days per week are reckoned; what is the number of men employed in each boat; and what men have been sick during the time mentioned.

(*Answered by Mr. McKenna.*) The average number of hours the crews of tugs at Portsmouth Dockyard have been on duty during the past twenty-eight days is slightly less than ten per day, including time vessels were lying alongside the yard; seven days a week are reckoned; the numbers of men employed in each vessel are: seventeen as regards two vessels; fourteen as regards two vessels; eleven as regards one vessel; and nine as regards the remaining vessel. During the time mentioned one engineer was sick for twelve days; one engineer for three days; one stoker for six days and one boy for four days.

Naval Discipline.

MR. BRAMSDON: To ask the First Lord of the Admiralty if he will state what are the particular matters the Departmental Committee the Admiralty have recently appointed in connection with naval discipline are to inquire into, and will the subjects of disrating, the stopping of men's leave automatically on their being put in the Report, and the other punishments referred to in the loyal appeal from the lower deck form subjects for the Committee's consideration and Report.

(*Answered by Mr. McKenna.*) A Committee has been appointed to consider the possibility of a scheme for adopting in naval prisons a system similar to that in force in military detention barracks; and the matters referred to by my hon. friend are not germane to the inquiry.

Petitions from Dockyard Workmen.

MR. OWEN PHILIPPS (Pembroke and Haverfordwest): To ask the First Lord of the Admiralty whether he will give instructions that the time for presenting petitions from dockyard workmen be extended from 1st January, 1909, to 1st March, 1909, in order to give time to workmen in the royal dockyards to consider the replies they may receive to their petitions for 1908 before having to submit their petitions for 1909.

(*Answered by Mr. McKenna.*) Instructions have already been issued that the time for presenting new petitions by dockyard employees is to be extended to four weeks after the announcement of the decisions on the petitions presented this year.

Apprentices at Welsh Dockyards.

MR. OWEN PHILIPPS: To ask the First Lord of the Admiralty if he can see his way to increase the number of apprentices to be entered at the Welsh dockyards in 1909 to at least twenty-six so as to bring up the total number of apprentices entered for the four years 1906 to 1909, inclusive, to the general average of the other five royal dockyards, namely, ·72 per cent. of the average number of men employed.

(*Answered by Mr. McKenna.*) The number of apprentices to be entered at the several dockyards next year has not been settled. The numbers are fixed with regard to what are considered to be the reasonable requirements at the time, and, whilst the numbers of apprentices already serving are always kept in view, no undertaking can be given that the number to be entered at Pembroke Dock next year will be increased on the grounds indicated in the Question.

Repairs at Deptford Yard.

MR. BOWERMAN: To ask the First Lord of the Admiralty if it is the intention of the Admiralty to allocate a sum of money to the works department in the Deptford Victualling Yard for the purpose of providing employment by way of undertaking necessary repairs to the compass-house, at present covered by tarpaulins to keep out rain, mending the roadways, and in other directions.

(*Answered by Mr. McKenna.*) Money has been allocated for necessary repairs at Deptford to the end of the financial year, including work on roadways, etc., but no additional men can be taken on. The compass-house roof was tarred and sanded last year, and the building is not in need of repair.

Compensation under the Licensing Act, 1904.

MR. CAVE (Surrey, Kingston): To ask the Secretary of State for the Home Department, what applications have been received from compensation authorities for his sanction to the borrowing of money under the Licensing Act, 1904, for the purpose of accelerating the reduction of licences under that Act; in what cases such sanction has been refused or deferred; in what cases sanction has been granted; and what periods have been allowed for repayment of the loans sanctioned.

(*Answered by Mr. Secretary Gladstone.*) On 26th February last, in a printed Answer to the hon. Member for Kidderminister, I gave details of twenty-one loans sanctioned under the Act of 1904 up to the end of January in the present year. Since that date I have sanctioned two loans, namely, Hertfordshire, £2,000 for the term of a year, and Dudley, £1,500 for six months. In three cases I have refused sanction, namely, Devonport, £150; Ripon, £600; and Bolton, £700.

Workmen's Compensation.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda): To ask the Secretary of State for the Home Department whether the word "applicant" on page 4 of the Blue-book giving statistics of proceedings under the Workmen's Compensation Acts, 1897, 1900, and 1906, and the Employers' Liability Act, 1880, during the year 1907 implies the applicant for compensation or the applicant in the arbitration proceedings; and, if the latter, whether he can give particulars of the aggregate number of cases out of the 1,375 cases in which the workman was the applicant and the aggregate number of cases out of the 271 in which the applicant was the workman.

(*Answered by Mr. Secretary Gladstone.*) The paragraph referred to by the hon. Member deals only with cases in which the subject of the arbitration proceedings was a claim by a workman or his representatives for compensation. In all such cases, therefore, the applicant in the arbitration is a workman or his representatives.

Early Payment of Income Tax.

MR. YOUNGER (Ayr Burghs): To ask Mr. Chancellor of the Exchequer whether he can state the amount of income-tax due on 1st January, 1908, which was paid before that date, and what part of the amount was paid under the discount allowed under the Act 5 & 6 Vict. c. 35, s. 141, as amended by 52 & 52 Vict. c. 42, s. 10; whether the fact that discount is allowed is clearly stated on the notices demanding payment; and, if not, whether he will see that this is done in future.

(*Answered by Mr. Lloyd-George.*) The amount of income-tax due under the assessments for 1907–8 which was paid before 1st January, 1908, was approximately £3,966,755. Of this sum only £23,679 3s. 3d. was paid under discount under the Acts referred to by the hon. Member. The Answer to the third part of the Question is in the negative. I shall be glad to consider the concluding suggestion.

Import Duty on Cattle Feeding Cake.

MR. ALEXANDER CROSS (Glasgow, Camlachie): To ask Mr. Chancellor of the Exchequer whether he is aware that 500 bags of cattle-feeding cake, imported at Grangemouth, are at present stopped by the Customs officers, who demand an import duty of £2 per ton; whether he is aware that this duty is claimed (although previous lots were passed without question) under the Customs tariff which provides a duty upon cocoa husks or shells of £2 per ton; and, seeing that these 500 bags of feeding cake cannot possibly be described as cocoa husks or shells, nor applied to any other purpose except the purpose of feeding cattle, nor used for anything at all in which the Revenue is concerned, will he order the immediate release of the cake to the owners.

(*Answered by Mr. Lloyd-George.*) I am informed that 500 bags of cattle-feeding cake, recently imported at Grangemouth and declared by the importer's agent to be free of duty, have been delivered out of Customs charge on a deposit of £55 to cover the import duty and any fine which the Board of Customs may decide to impose in respect of inaccurate description. Analysis of samples of this feeding cake disclosed the fact that it consisted of ground and compressed cocoa husks and shells, together with a certain amount of cocoa which had not been removed prior to grinding. Under the Customs Tariff Act, 1876, cocoa husks and shells are liable to a duty of 2s. a cwt. (£2 a ton), and there is no legal authority for admitting cocoa husks and shells free of duty, whether intended for use as cattle-food or otherwise. I am causing full inquiry to be made in regard to the statement in the hon. Member's Question that previous lots of similar cake have been passed without question.

Navy—Ships Struck off the Effective List.

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty whether he will state, in continuation of the Answer given in the House on 9th April, 1907, the number of battleships, coast-defence vessels, armoured cruisers, protected cruisers, and destroyers laid down, and the number struck off the list of efficient ships in each class for the years 1907 and 1908, stating whether any alteration is contemplated in the list before 1st January, 1909.

(*Answered by Mr. McKenna.*)

	1907.		1908.	
	Laid down.	Struck off.	Laid down.	Struck off.
Battleships	3	—	2	1
Coast-defence vessels	—	—	—	—
Armoured cruisers	—	—	—	—
Protected cruisers	1	3	1	3 (1 lost)
Destroyers	2	1 (lost)	5	2 (lost)

No alteration is contemplated in this list prior to 1st January, 1909.

Papuan Labour Ordinance.

MR. MOLTENO (Dumfriesshire): To ask the Under-Secretary of State for the Colonies whether his attention has been called to the Ordinance recently passed by the Legislative Council of the territory of Papua containing the following provision: that a native who, after being called upon to work for the Government under this Ordinance, without reasonable excuse, fails or neglects to commence work at the time and place appointed, or who, without reasonable excuse, fails or neglects to perform his task in a proper manner, or who, without leave, absents himself from his work, or fails to complete his period of service, shall be liable on summary conviction to be imprisoned with hard labour for a period not exceeding six months; and whether this Ordinance has received the assent of the Secretary of State for the Colonies.

(*Answered by Colonel Seely.*) I would refer my hon. friend to the reply to the subsequent Question which stands in his name.

MR. MOLTENO: To ask the Under-Secretary of State for the Colonies whether an Ordinance was passed by the Legislative Council of the territory of Papua on 29th May last the object of which was stated to be to encourage the natives of Papua in habits of industry; if so, whether it contains a clause to the effect that every male native between the prescribed ages shall, when called upon, be liable to work, under the direction and control of the Government, on a Government plantation, public road, or native reserve in the division in which he resides, for the Government, without pay, for a period of one month in every twelve; and whether he proposes to take any action in this matter.

(*Answered by Colonel Seely.*) My hon. friend is no doubt aware that the administration of Papua is directly under the control of the Commonwealth of Australia. I understand that the Ordinance referred to was not passed, but only read a second time, in the Legislative Council of Papau on 29th May last. So far as I am aware it has not since been proceeded with. If it is hereafter passed the Lieutenant-Governor will no doubt reserve it for the consideration of the Governor-General in Council.

Naval Officers' Pay—Remittance to Banks.

MR. BROOKE (Tower Hamlets, Bow and Bromley): To ask the First Lord of the Admiralty whether his attention has been called to the numerous complaints made by naval officers with regard to their present inability to have their pay remitted direct from the Admiralty to a bank; and whether, seeing that this is permissible in the case of Army officers, he can allow naval officers to enjoy the same convenience.

(*Answered by Mr. McKenna.*) No complaints have reached the Admiralty. Under the King's Regulations (Article 1636) an officer can remit, month by month, the whole or any part of his pay and allowances to a bank or to any person whom he may nominate. In such a case the officer expresses his wish on each occasion to the accountant officer of his ship, and has no trouble beyond that of signing the remittance list. If the officer prefers, a monthly allotment can be made from his pay (within a limit of about two-thirds of the gross amount due) and paid over to a bank or any other nominee. Under this system the officer signifies his wishes at the outset, and the stoppage is made month by month without any further action on his part. No further facilities appear to be called for.

Naval Orders for Birkenhead.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the First Lord of the Admiralty whether any orders have been given to Birkenhead, where unemployment is very severe; and, if so, whether the orders are being executed there.

(*Answered by Mr. McKenna.*) An order has been provisionally placed for three torpedo-boat destroyers with Messrs. Cammell, Laird, and Company, of Birkenhead, where these vessels will be built. This firm also are completing there a torpedo boat destroyer ordered from them some time ago.

Teachers' Superannuation.

MR. T. F. RICHARDS: To ask the President of the Board of Education if he will state the number of headmasters and mistresses who received superannuation, and the number who received breakdown allowance for the year 1907; and the number of assistant male and female teachers who received superannuation, and the number who received breakdown allowance for the same year.

(*Answered by Mr. Runciman.*)—

	Men.	Women.
	—	—
Number of superannuation allowances granted during the year ending 31st March, 1908 - -	184	144
Number of disablement allowances granted during the year ending 31st March, 1908 -	66	175

The number of head teachers and assistant teachers cannot be shown separately.

Old-Age Pensions in London.

MR. B. S. STRAUS (Tower Hamlets, Mile End): To ask the President of the Local Government Board whether he can give the number of persons entitled to an old-age pension in London, showing how many there are in each of the parliamentary divisions.

(*Answered by Mr. John Burns.*) The number of persons entitled to old-age pensions in the administrative county of London has not at present been ascertained, but I may state that up to the 5th instant 40,578 claims had been received by the pension officers in London. The records do not show the claims received in respect of the several parliamentary divisions; ; but I can give some particulars as regards the City and Metropolitan boroughs. They are as follows—

Area.	Number of Claims.
City of London	135
Metropolitan Boroughs—	
Battersea	1,717
Bermondsey	1,054
Bethnal Green	1,336
Camberwell	2,544
Chelsea	698
Deptford	934
Finsbury	706
Fulham	1,389
Greenwich Woolwich	2,034
Hackney	2,159
Hammersmith	1,284
Hampstead	575
Holborn	344
Islington	3,063
Kensington	1,480
Lambeth	3,227
Lewisham	1,307
Paddington	1,455
Poplar Stepney	2,907
Saint Marylebone	1,162
Saint Pancras	2,202
Shoreditch	1,047
Southwark	1,732
Stoke Newington	528
Wandsworth	2,444
Westminster	1,115
Total	40,578

Gateshead Unemployed Register.

MR. KEIR HARDIE (Merthyr Tydvil): To ask the President of the Local Government Board whether he is aware that the register for the unemployed at Gateshead under the Unemployed Workmen Act is kept at the union offices; and whether he will make representations with a view to having the register removed to a place where it will have no appearance of association with the Poor Law.

(*Answered by Mr. John Burns.*) I am not informed where the register is kept, but, as the clerk to the guardians is clerk to the distress committee, it is probable that it is kept at the union offices. I will communicate with the distress committee on the subject.

Pensions of Civil Service Copyists and Writers.

SIR HENRY KIMBER (Wandsworth): To ask the Secretary to the Treasury whether the old departmental writers and also the pre-1871 registered copyists who served prior to 19th August, 1871, are allowed to count all their continuous temporary service towards pension; and if so, whether, in consideration of the Treasury having allowed the few senior abstractors all the service rendered by them as temporary certificated clerks prior to 19th August, 1871, to count as copyists' service towards bonus, they can likewise allow all such service to count as copyists' service for pension purposes, under Clause 3 of the Superannuation Act of 1887, or any other empowering authority.

(*Answered by Mr. Hobhouse.*) The rule which has been in force for nearly twenty years is that copyists or writers placed on the permanent establishment are allowed to count one-half of their previous service for pension. It is true that, under a special concession made many years ago, writers employed before 19th August, 1871, and afterwards, without interruption of service, transferred to the establishment, are allowed to reckon their whole service for pension; but I see no sufficient ground for extending this concession to other cases than those which it was intended to meet. The fact that the service as a temporary clerk may have been allowed to count for copyist's bonus is an independent concession which does not affect the claim to superannuation.

Horse Breeding.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether it is the intention of the Government to take any further steps to encourage the breeding of horses in Great Britain and Ireland; and, if so, what.

(*Answered by Sir Edward Strachey.*) The matter is still under consideration, and I am not at present able to make any statement on the subject.

Provision of Third Gate on North Side of Hyde Park.

MR. H. GOOCH (Camberwell, Peckham): To ask the First Commissioner of Works whether he will keep in mind the question of providing a third gate for carriage traffic on the north side of Hyde Park, at the south end of Albion Street, Paddington; and whether the expense of providing a park-keeper's lodge and a park-keeper could be obviated by stationing a policeman on point at the gate in question.

(*Answered by Mr. L. Harcourt.*) I regret that I am unable to make provision for this gate in the Estimates for the coming year. The cost of stationing a police constable at this point would be out of proportion to the advantages of a third gate.

Deaths from Anæsthesia.

MR. BRAMSDON: To ask the Secretary of State for the Home Department whether he will endeavour to obtain, by means of an additional column in the next Coroners' Annual Return, the number of deaths of all persons throughout the country from anæsthesia, and upon which inquests have been held; and whether he will endeavour also to obtain the number of similar deaths reported to the coroner, and in respect of which no inquests have been held.

(*Answered by Mr. Secretary Gladstone.*) The forms for the next Return have already been issued, but I will consider whether a special Return can be called for.

Civil Service—Unestablished Service to count towards Pension.

MR. CROOKS (Woolwich): To ask Mr. Chancellor of the Exchequer whether he will be prepared to allow those civil servants to count their unestablished service for pensions in those cases where such unestablished service was continuous with, and of a similar character to, the pensionable service which followed it.

(*Answered by Mr. Lloyd-George.*) I am afraid I am unable to add anything to my previous replies on this subject. Each case has, as I have said, to be treated on its merits with regard to the special circumstances and more particularly to the conditions upon which the promotion to the establishment is made. As I have already stated, I am not prepared further to extend the very liberal concession which have been made during recent years with regard to counting unestablished service for pension purposes.

Old-Age Pensions Regulation.

MR. LONSDALE (Armagh, Mid): To ask Mr. Chancellor of the Exchequer whether instructions have been given to pension officers that persons who have been admitted for a period to a union infirmary are to be disqualified for an old-age pension; and that the provision as to medical or surgical relief does not cover a sojourn in the infirmary; whether he is aware that in Ireland it has been the custom for persons of small means suffering from illness or accident which required nursing not otherwise available to go to the union infirmary, the only hospital within reach, for treatment, and that such treatment has not been counted as poor relief disqualifying for a vote; and whether, in these circumstances, he will issue revised instructions to pension officers as will prevent the exclusion from the benefits of the Old-Age Pensions Act of a large number of unfortunate deserving persons.

(*Answered by Mr. Lloyd-George.*) No general instructions have been issued to pension officers on the point referred to in the Question; but pension officers who have made inquiry have been informed, in accordance with legal advice, that disqualification arises in the circumstances specified, and they have no doubt reported in that sense to the committees. The decision rests with the committee, subject to appeal to the Local Government Board, and, if it should appear as the result of such appeals that pension officers have been wrongly advised, they will be instructed accordingly.

Portadown Pensions Committee and Calculation of Incomes.

Mr. J. MACVEAGH (Down, S.): To ask Mr. Chancellor of the Exchequer whether he is aware that the old-age pensions committee for Portadown and Lurgan have decided to calculate the income of small farmers at two-and-a-half times the valuation of their holdings; whether, in doing so, they have acted on any instructions issued from any Government Department; if so, whether he will state what the instructions are; and, if not, under what authority they decided on that course; and whether every separate claim should be decided on its merits.

(*Answered by Mr. Lloyd-George.*) I have no information as to the method of calculating means arising from the occupation of land adopted by the committees referred to. The matter is governed by Section 4 of the Act, and the Treasury has not issued, nor has it any power to issue, any instructions to pension committees on the subject. Subject to the provisions of the section to which I have referred, the committee is at liberty to adopt any method of calculation which may in their opinion be likely to produce a correct result, but their decision is of course subject to appeal to the Local Government Board, either by the claimant or by the pension officer.

Irish Old-Age Pension Regulations.

Mr. J. MACVEAGH: To ask Mr. Chancellor of the Exchequer whether he is aware that the Law provides that in Ireland a person is eligible for the franchise even though he has received medical relief in a workhouse hospital; and whether he will, for the guidance of pension officers in Ireland, state that claims for old-age pensions should not be opposed on the ground that he has received relief of that character.

(*Answered by Mr. Lloyd-George.*) I must refer the hon. Member to the reply which I am giving to-day to a similar Question by the hon. Member for Mid-Armagh, from which he will understand that, in view of the advice to which I have referred, I cannot issue such instructions as he suggests.

Payment of Income Tax on Municipal Undertakings.

Mr. SEARS (Cheltenham): To ask Mr. Chancellor of the Exhequer if corporations and other municipal authorities are all charged income-tax on revenue derived from gas, tramways, electric lighting, and other undertakings; if so is payment enforced in all cases; and, if not, will he furnish a Return of the corporations and other public bodies who are in arrears for such taxes, and the reason or reasons why payment is not enforced.

(*Answered by Mr. Lloyd-George.*) The Answers to the first and second parts of the Question are in the affirmative.

Culture of Wild Silk in Bombay.

Mr. REES (Montgomery Boroughs): To ask the Under-Secretary of State for India what steps, if any, has the Government of Bombay taken to encourage the new industry of the culture of the silk of the Tassar and other wild silks in the province of Gujarat, to which their attention has been called by the Secretary of State for India; and will he say if the Director of Agriculture in Bombay some time ago officially denied the existence of the Tassar worm in that province, which has been proved by the importation of the cocoons of that species into England and the manufacture of their silk into yarn, of which a specimen has been sent to Bombay.

(*Answered by Mr. Buchanan.*) The Bombay Government have reported that, having investigated the subject, they do not consider the prospects of establishing the industry to be such as would justify any action on their part at present. The Secretary of State is not aware that the Director of Agriculture, Bombay, has denied the existence of the Tassar worm in that province.

The Kathiawar Succession.

MR. REES: To ask the Under-Secretary of State for India whether the Government can take any action upon the memorial of the Chief of Jasdan, calculated to remove a feeling that his rights under the system of succession obtaining in Kathiawar have been prejudiced by action taken by the Government of India.

(*Answered by Mr. Buchanan.*) I would refer the hon. Member to the Answer I gave on the subject on 16th October last. No memorial from the present Chief of Jasdan has been received by the Secretary of State in Council.

Erection of Cottages at Hillsborough, County Down.

MR. J. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state how many cottages have been erected within the area of the Hillsborough Rural council, County Down, under each of the Labourers Acts; how many applications have been made, how many claims have been sanctioned, and what steps the Local Government Board is taking to expedite matters.

(*Answered by Mr. Birrell.*) Eighteen cottages were provided in the Hillsborough rural district before the Act of 1906 came into operation. Since then the rural district council have promoted a scheme for fifty-nine cottages, which has been finally confirmed in respect of fifty-eight cottages. The Local Government Board now await the application of the council for the appointment of an arbitrator and for sanction to the loan required to carry out the scheme.

Reinstatement of James Boyle, of Laurencetown.

MR. J. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that an evicted tenant named James Boyle, Laurencetown, County Down, applied for reinstatement in November, 1905, but as yet without result; and whether the Estates Commissioners will at once reconsider the case.

(*Answered by Mr. Birrell.*) James Boyle has applied to the Estates Commissioners for reinstatement in a holding of less than six acres now in the occupation of his uncle. The Commissioners do not see their way to depart from their decision not to take any action in the matter.

Payment of the Hanging Gale on the Cope Estate, County Armagh.

MR. J. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the agent for the Cope estate, Loughgall, County Armagh, is pressing for payment of the hanging gale those tenants who refused to sign purchase agreements; and whether the attention of the Estates Commissioners will be directed to the fact in order that the circumstances may be considered before the purchase is allowed to be completed.

(*Answered by Mr. Birrell.*) When this estate is being inspected, in its proper turn, the Estates Commissioners' inspector will inquire and report as to the reasonableness or otherwise of the action of any tenants who have not signed purchase agreements. The Commissioners have no power to interfere in any legal proceedings which the owner may institute for the recovery of rent due to him.

Purchase of Lands of Mr. S. E. Collis, at East Tarmons.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are buying or have bought the lands of Mr. S. E. Collis, Shanaway, East Tarmons, North Kerry; and whether he is aware that the Listowel Rural District Council have unanimously passed a resolution praying that the said lands, when bought, should be divided amongst the small holders of the district, which is congested.

(*Answered by Mr. Birrell.*) The Estates Commissioners have published a notice in the Dublin *Gazette* with a view to the compulsory acquisition of these lands under the Evicted Tenants Acts, and intend to use the lands, if acquired, for the purposes of that Act.

Purchase of the Estate of Walter Morrogh, at Killahan.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if the estate of Walter Morrogh, at Killahan, North Kerry, has been offered for sale to the Estates Commissioners; whether any agreements have been lodged by the landlord or his solicitor with the Estates Commissioners; and whether the Estates Commissioners will send an inspector on the holdings of a number of the tenants, who will not buy at the price demanded by the landlord, before a sale is sanctioned.

(*Answered by Mr. Birrell.*) The owner has instituted proceedings for the sale of this estate to the tenants, and has lodged purchase agreements signed by some of them. When the estate is being inspected in its proper turn, the inspector will inquire into the cases of those tenants who have not signed purchase agreements.

Holding for Peter Connor.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Stoughten estate in North Kerry is being sold; and what steps, if any, have the Estates Commissioners taken to provide a holding for Peter Connor, an evicted tenant of this estate.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that this estate is being sold by the owner to his tenants. Connor's former holding is in the occupation of another tenant who has signed a purchase agreement. The Commissioners have taken no steps in reference to Connor's application for reinstatement.

Reinstatement of Edmond Dillane.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say when Edmond Dillane, an evicted tenant on the estate of Captain R. R. Chute, North Kerry, will be reinstated in his evicted farm or one equivalent to it.

(*Answered by Mr. Birrell.*) The Estates Commissioners have decided to take no action in this case. The farm in question is at present in the occupation of Edmond Dillane's brother.

Payment of Arrears of Rent on the Trieneragh Estate.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the solicitor to the Congested Districts Board has written, by direction of the Board, to tenants on the Trieneragh portion of the Collis Sandes estate calling up, under threat of a writ, arrears of rent of over fifteen years standing, and never demanded by the late owner; whether the object of these threats is to force the tenants to buy their holdings from the Board at terms much higher than those paid by tenants on adjoining properties; and, seeing that the Congested Districts Board has spent no money on improvements in the district and in view of all the circumstances of the district, the Board will wipe out these old arrears of a rack rent.

(*Answered by Mr. Birrell.*) Only one tenant on Trieneragh has been written to by the solicitor to the Congested Districts Board. He declined to sign a purchase agreement on the basis arranged with the other tenants, and consequently remains in the position of a tenant. He has therefore been asked to repay the sum of £49 14s. 3d. paid by the Board to Mr. Collis Sandes for arrears on his two holdings, the united rents of which amount to £42 9s. The terms of resale arranged with the other tenants were eighteen and five-eighths years purchase of first-term rents, with the addition of a sum not exceeding in any case one year's rent for arrears.

Execution of Committal Warrants on Sundays.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Royal Irish Constabulary have received instructions not to execute committal warrants on Sunday;

and, if so, whether he will state by what authority has such order been given.

(*Answered by Mr. Birrell.*) The Answer is in the negative.

Fines or Imprisonment in Ireland.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether powers have been given to governors of gaols in Ireland to remit a portion of a period of imprisonment awarded in default of paying a certain fine when a portion of such fine has been paid; and, if so, by whose order has this been done, and by what authority has such order been made.

(*Answered by Mr. Birrell.*) This matter is regulated by the Fine or Imprisonment (Scotland and Ireland) Act, 1899, which extends to Scotland and Ireland the powers already given in England by the Prisons Act, 1898.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether fines paid to the police under 22 and 23 Vict., c. 92, s. 19, are paid to a common fund and not given to the individual constable who is the means of bringing an offender to justice; and, if so, whether he will state by what authority does the Inspector-General require these fines to be paid to the credit of a common fund.

(*Answered by Mr. Birrell.*) Under Section 49 of the Constabulary (Ireland) Act, 1836, all penalties awarded by justices to members of the Royal Irish Constabulary must be paid into the Constabulary Force Fund, formerly called the Reward Fund.

Cost of Teaching Irish in Primary Schools.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain from the Commissioners of National Education whether the extra expenditure charged to imperial funds, which in the past year amounted to £17,500, for the teaching of Irish in primary schools will, in the course of two or three years, amount to £50,000 or more, and thereafter still further increase by leaps and bounds unless steps are taken to curtail the expenditure under the scale of fees at present payable; and whether he will consider the advisability of arranging that Irish shall be taught as an optional subject during school hours and as part of the ordinary school curriculum, but without payment of a special fee.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the payment for the teaching of Irish as an extra subject and in the bilingual schools for the forthcoming year 1909–10 is estimated at £19,300, exclusive of administrative charges. They cannot say what the future expenditure may be. They are not prepared to recommend the withdrawal of the special fees for the teaching of Irish, and, as I have already informed the hon. Member, I am not at present aware of any reason why the existing arrangements with respect to these fees should be reconsidered.

Jurors objected to at Cork and Limerick Assizes.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain from the Crown solicitors concerned the number of distinct cases tried at the recent Cork and Limerick Assizes in which jurors were ordered by the Crown to stand aside without cause assigned, the number of jurors so challenged, and the result of the trial in each case.

(*Answered by Mr. Cherry.*) It would not be possible to reply to this Question without obtaining reports from the Crown solicitor of every county included in the Munster and Connaught Winter Assizes. This could not be done within the time available.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the result of the cases from County Sligo tried at the late Limerick Winter Assizes, and what was the number of jurors ordered to stand by without cause assigned in each case.

(*Answered by Mr. Cherry.*) I presume the hon. Member refers to what are known as the Geevagh cases, in which a number of persons were charged with riot. There were three of these. In one case the jury convicted and in two others they disagreed. The number of jurors ordered to stand by was, in the first case, thirty; in the second case, fifteen; and in the third case, nineteen. There were I believe, other cases from County Sligo tried at these Assizes, but I have no information as to these.

Impannelling of Irish Jurors.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the rules at present in force for the guidance of Crown solicitors in Ireland in relation to the impannelling of jurors in criminal trials are in any respect different from the rules that were in operation prior to the year 1906; if so, will he state to what extent the latter were amended; and will he explain why the practice of ordering numbers of jurors to stand by without cause assigned in several cases tried at the late Winter Assizes was as freely resorted to as in former years.

(*Answered by Mr. Cherry.*) The Answer to the first part of the Question is in the negative. For an Answer to the latter part of the Question, I beg to refer the hon. Member to the very full Answer which I gave to three Questions on the same subject put by the hon. Member for North Sligo to me on the 14th instant.

County Louth Labourers' Cottage Scheme.

MR. T. M. HEALY (Louth, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received the Resolution of the Dundalk Rural District Council respecting the action of the County Court Judge in dealing with labourers schemes in County Louth; if he will inquire into the allegation that on the hearing of the Ardee petitions the County Court Judge stated that it was a scandal to put a labourers' cottage on any man's land against his will; whether, at the subsequent hearing of petitions against the Dundalk scheme, the County Court Judge, out of eighty-eight contested cases, rejected eighty cottages; whether the district council allege that in many instances this was done without their witnesses being heard, the judge being of the opinion that an appeal lay from his decision, and that in other cases he refused to act on the definition of agricultural labourer in the Labourers Act; and whether he proposes to take any action in the matter.

(*Answered by Mr. Birrell.*) I have received the Resolution referred to, but I have no means of knowing whether the County Court Judge expressed the opinion attributed to him. The grounds of the orders made by County Courts on appeals under the Labourers Acts are not communicated to the Local Government Board. Those orders are final, and I have no control over the County Court Judge, and no power to interfere with his judicial action.

Residences for Assistant Teachers—Ireland.

MR. NANNETTI (Dublin, College Green): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many residences have been built for assistant teachers in Ireland under the Teachers' Residences Act, 1875, and are the Commissioners of National Education prepared to receive applications on behalf of assistant teachers for such residences; how many national schools in Ireland have an average attendance of fifty pupils or over, and of the principal teachers in these schools how many received between £12 10s. and £15 as residential capitation grant, and how many received over £15; and, of the assistant teachers in these same schools, how many received less than £3 of this grant or received no capitation payment.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that it will not be possible to furnish the particulars asked for before the close of the present session. I will communicate the information to the hon. Member when I receive it.

The New Bayonet.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Secretary of State for War what troops have been armed with the new bayonet; and whether the Reports on it are unanimously favourable.

(*Answered by Mr. Secretary Haldane.*) The Brigade of Guards have been armed with the new bayonet. No further Reports have been called for.

Supply of Army Horses.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary of State for War whether he is satisfied that a sufficient number of horses would be forthcoming, both for Regular and Territorial Forces, in case of War; and whether, in view of the increase of automobile traction and the decrease of horse-drawn vehicles, further steps are to be taken to secure an adequate supply; and, if so, what does he propose to do in the matter.

(*Answered by Mr. Secretary Haldane.*) From the information at the disposal of the War Office there appears to be a sufficient number of horses in the United Kingdom both for Regular and Territorial Forces in case of War. As I have already explained in the House, the question of horse supply is engaging my close attention.

The New Cavalry Sword.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary of State for War what troops have been armed with the new pattern of cavalry sword; and whether the Reports upon it are unanimous in its favour.

(*Answered by Mr. Secretary Haldane.*) No troops have as yet been armed with the new cavalry sword.

Billeting of the 4th Battalion Bedfordshire Regiment.

MR. BARNARD (Kidderminster): To ask the Secretary of State for War whether he will cause inquiry to be made into the circumstances attending the billeting or lodging of men of the 4th battalion of the Bedfordshire Regiment on licensed victuallers in the city of Hertford for military training during seven weeks in the months of March and April, 1908; whether, if they were billeted under the Billeting Act, the payments due to the licensed victuallers under the Army Acts, as recited in Army Form B 55, and according to the schedule set out in such form should be paid to them, less rations and beer omitted, estimated at 8d. per day per man; whether, when men are not intended to be billeted but to be lodged, he will prohibit the use of the billeting notices; whether it is the duty of the police to serve the billeting notices when it is not the intention to billet, but to invite licensed victuallers to enter into contracts for lodging; whether such contracts ought to be approved by the director of contracts prior to acceptance; whether he will consider the desirability, in view of the changes in Army organisation and the abolition of the Militia, of issuing regulations showing licensed victuallers whether they are being invited to enter into contracts for lodging or being required to accept billeting under the statute, and of increasing the scale of payments, in view of the fact that recruits are not able to dress and cook their own food, and are not accompanied by orderly men, and have no time available from drill, etc., with a view to increasing the scale of payment accordingly; and that the substitution of lodging contracts for billeting notices not only deprives licensed victuallers of a portion of the remuneration voted annually for this purpose, but also deprives the troops of the sustenance allowed by the Army Act of 1881, namely, meat, bread, bacon, cheese, and beer, or the equivalent of beer.

(*Answered by Mr. Secretary Haldane.*) General instructions have been issued that Special Reservists while undergoing their training, and for whom accommodation does not exist in barracks, are during the winter months to be placed on the lodging list. Nothing is known of the circumstances of the particular case referred to.

Territorial Army—Regiments Combined—Position of Officers.

MR. BOULTON (Huntingdonshire, Ramsey): To ask the Secretary of State for War if, under the Territorial Army scheme by which the Huntingdonshire Regiment was merged into the Bedfordshire Regiment, an officer with senior service in the Huntingdonshire Regiment would be preferred in the ordinary course to an officer with less service in the Bedfordshire Regiment for an appointment in the united battalion; if he is aware that Lieutenant and Quartermaster C. N. White, of the Huntingdonshire Regiment, was senior in service to Captain Plummer, of the Bedfordshire Regiment, and that Captain Plummer's superior rank to Lieutenant White's was an honorary rank; and will he say if Lieutenant White acted as quartermaster for the united regiment this year at camp, and performed his duties in a satisfactory way; and, if so, why is it that the Army Council has now passed over Lieutenant C. N. White and appointed Captain Plummer to the post of quartermaster of the 5th Bedfordshire Regiment.

(*Answered by Mr. Secretary Haldane.*) The appointment in question was carried out on the recommendation of the General Officer Commanding-in-Chief, Eastern Command, and I do not propose to question that recommendation.

The New Session.

MAJOR ANSTRUTHER-GRAY: To ask the Prime Minister whether he can furnish any information as to the duration of the forthcoming Recess.

(*Answered by Mr. Asquith.*) It is anticipated that the House will meet on 16th February.

PORT OF LONDON BILL.

Lords' Amendments considered.

Lords' Amendment—

'In page 2, line 2, to leave out the word 'ten' and insert the word 'twelve.'"

Read a second time.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Sir H. KEARLEY, Devonport) moved to disagree with the Lords' Amendment. He said the main argument used in another place for giving Kent and Essex representation on the Port Authority rested on the fact that the river flowed between those two counties for a considerable distance within the jurisdiction of the authority, and that within that area there were great industrial centres of population dependent for their prosperity upon the proper working of the Port, and it was claimed that those interests without adequate representation were not properly protected. They were perfectly familiar—he might add painfully familiar—with all those arguments which had been put forward by those representing Kent and Essex as to the necessity for special representation for those two riparian counties. With regard to the counties of Middlesex and Surrey the same arguments had been used, and it was quite evident that if they gave sectional representation to one of those counties they could not deny it to the whole of them. Undoubtedly the strongest claim was that put forward by the county borough of West Ham. It was one of the governing principles of the Bill to establish a body which should not be unduly large, and in consequence should be a workable and businesslike body, and, in order to ensure that, they gave to the commercial representatives (that was, the representatives of those who used the river and paid the dues) the majority of the representation. Attempts had been made without cessation to force upon them sectional representation. If they were prepared to review the situation—which, of course, they were not—it could be easily shown that Kent and Essex had not priority of claim, but rather Middlesex and Surrey, and that the strongest case of all was that of West Ham. If they admitted one they could not deny the rest, and that would destroy the balance entirely between the commercial representatives and the appointed members. Not only did the Joint Committee resist those demands, but they increased the representative element, and stated their opinion that the proportion of appointed members was unduly large, as compared with the proportion of representative members. In 1903, when the late Government introduced a Port of London Bill, no recognition was given to these riparian counties. When the Bill went before the Joint Committee over which Lord Cross presided a large array of evidence was produced but it failed to convince that Committee and they refused to give recognition to the claims of those riparian counties. In the Bill of 1903 the governing body consisted of forty members, and if representation was denied to those counties under the circumstances, what justification was there for recognising those claims for sectional representation now? It was asked why should they not be represented? His reply to that question was that the majority of this new body would consist of payers of dues, and the representation would be uniform. The argument that because representation was not given to geographical areas they would not be represented was not maintainable. Those who paid dues would have representation through the members kept on the general register of payers of dues, and, therefore, it was not accurate to say that this large district would be excluded from representation on the Port Authority. Everybody knew how successful the Mersey Docks and Harbour Board had been and that it was a model for other authorities, yet Liverpool was not geographically represented on it. There was nothing to justify the Port of London dealing with the matter in a different way. It could not be urged that geographical representation of Kent and Essex had not been fully considered. The debate in that House occupied several hours, and the House came to the decision that this representation could not be given. On the Report stage in the House of Lords further Amendments were brought forward with the view of giving Middlesex and Surrey geographical representation. The decision of the Lords, however, was that representation to these two counties could not be accorded, and the Lords must place Kent and Essex on the same footing as they had placed Middlesex and Surrey.

Motion made, and Question proposed—

"That this House doth disagree with the Lords in the said Amendment."—(*Sir Hudson Kearley.*)

MR. ROWLANDS (Kent, Dartford) said he had listened with much attention to the speech delivered by the Secretary to the Board of Trade, and he deeply regretted that the Government had decided not to accept the Lords Amendment. The hon. Gentleman said he had heard over and over again the case in favour of giving representation to Kent and Essex. The House had heard also over and over again the official reply just given, and it failed entirely to meet the case put before the House by the representatives of the riparian counties. They had been told that the payers of dues were in a majority on the Board, but no one contested that principle. If the Government wanted a small body, they should have created a small body, but in drafting this Bill they had mixed up the two principles of geographical and commercial representation. Seeing they had already introduced sectional geographical representation to the extent of ten members, it was outside the bounds of logic for the Government to turn round and to say now they would not have sectional geographical representation. It was said that a larger body than was now proposed was provided for by the Bill of 1903, and that even then sectional representation was not given to the riparian counties. But surely there was a fundamental difference between that measure and the one they were now discussing with regard to the representation given to London. Was it not an absolute fact that under the Bill of 1903 London undertook directly the responsibility of providing any moneys necessary to meet the requirements of, the new authority? In this Bill London took no more responsibility financially than Kent and Essex, and, therefore, those counties had as much right to have representation on the Port Authority as the London County Council. That was the crux of the question as to why representation was refused to those riparian counties in 1903 by the Committee upstairs. Up to the present time none of the arguments they had put forward in favour of representation of those counties had been met. He did not think any one could say that Trinity House, the Board of Trade, or the London County Council represented directly the commercial interests of the river. The Parliamentary Secretary had told them that a much stronger case could be made out for the other counties affected than for the Counties of Kent and Essex They had heard all that before, but he contended that position had not been justified. All he was asking was that the interests of those counties should be properly dealt with. He regretted that the Government had not seen their way to accept this Amendment, and he intended to vote against the Government on the question.

*MR. RUSSELL REA (Gloucester) said he was speaking, he thought, for the whole of the Joint Committee in desiring the House not to accept the Lords Amendment. It would be perfectly impossible with any degree of logic or consistency to admit representation of Kent and Essex and to refuse it to Middlesex and Surrey. The Committee felt that sectional representation would weaken the Port Authority. Their opinion was that sectional representation was already too strong upon the Board, and they reduced its relative power by increasing the number of elective members. It was not a democratic principle that the representatives of one body of ratepayers should sit upon a different body altogether and spend the money of that other body. The Joint Committee carefully considered the case presented for Kent and Essex. The representatives of those two counties presented their case in its strongest form, and the Committee came to the conclusion that these interests of various kinds, which it was sought to serve, constituted the very strongest reasons for excluding Kent and Essex, because the only object of desiring representation was to promote those sectional interests. If any county were to be represented he would sooner have Kilkenny than Kent, because Kilkenny could have no local interests to serve on a body which ought to be purely commercial. The Royal Commission recommended that the London County Council should have representation. The late Government provided for representation in their Bill and the present Government had put it in this Bill. The Committee came to the conclusion that if there was such a consensus of opinion that some kind of municipal representation should be given on the board, it was better to confine it within as narrow limits as possible. Therefore, they refused to add any other body than the London County Council. They went so far as slightly to reduce the representation proposed to be given to that body. When they looked to other places they found that the most successfull bodies of this kind were those which had entirely excluded all extraneous geographical interests from representation. Even the City of Liverpool had not one representative on the Mersey Docks and Harbour Board, and that was, as he thought everybody would admit, the most successful Port Authority in these islands. For these reasons he expressed the hope—and he believed he was expressing the opinion of the Joint Committee—that the House would not accept this Amendment.

*Mr. WHITEHEAD (Essex, S.E.) said he had listened with considerable surprise to the hon. Member for Gloucester, when he said he spoke on behalf of the Joint Committee, for this reason. When representations were made to the House on behalf of that Committee he thought they were bound to consider the constitution of the Committee. What were the facts? So far as this House was concerned there were five Members on the Committee. It was a Committee to adjudicate on the claims of the various interests seeking representation upon this Authority, Those interests were partly geographical, partly commercial, and partly shipowning. On that Committee there were two shipowners, and also one representative of London. Under these circumstances it was not surprising that on the register of electors based upon the democratic principle to which the hon. Member had referred, there was such a franchise that the large shipowners would have an overwhelming preponderance on the new Authority. It was also not surpising to find that, although the Committee were not in favour of geographical representation, London emerged from the ordeal with six representatives on a body of twenty-eight. He thought these facts entitled the House to consider very carefully even at that late stage the constitution of the Authority. The hon. Member had said that it would be only logical to give Middlesex and Surrey representation on the Port Authority if Essex and Kent were to be accorded members. What he would say in regard to that was that neither he nor any representative of Essex or Kent had any objection to that principle at all. They had never contested the right of Middlesex and Surrey to representation, but that was not now the question. There was no means before the House now by which that could be obtained. But when they came to apply that principle they were bound to look at the interests which would be affected by it. When they considered that Surrey had a river frontage of not more than eight miles so far as the Port Authority was concerned, whereas Essex had a frontage of forty-three miles, he thought that difference constituted a substantial consideration when they came to decide whether the principle should be applied or not. Even if Essex and Kent were each accorded a representative, that would not necessarily be a reason why counties with smaller interests should also have representatives. He was indeed surprised to hear the hon. Member for Gloucester undertake to explain to the House what were the claims of Essex to representation. What were the facts? The Committee on whose behalf the hon. Member claimed to speak absolutely declined to hear either counsel or witnesses for the county of Essex. The Committee never heard a single word on behalf of the county of Essex, and therefore the hon. Member was not warranted in claiming to explain the views of that county to the House. Another reason which the hon. Member gave for refusing representation to Essex was that it would only tend to promote sectional interests. The people of Essex had very great interests indeed along the shores of the Thames. Not only had they this large frontage, but in the hinterland there were important industrial interests which were growing year by year. These facts entitled the county to consideration in the formation of the Port Authority. The right to use the River Thames was not vested in big shipowners, or in the inhabitants of London. The men who carried on business in Kent and Essex had a primary right in its waters. It was for that reason that the two counties now claimed to be heard, and he could not help thinking that those interests ought to have been heard by the Joint Committee. He believed if they had been heard, the House very likely on the Report stage would have granted the representation for which he now pleaded. Those who were familiar with the facts knew that the industrial conditions of the Mersey and the Thames were entirely different. The shores of the river within the Port of London formed a great manufacturing centre, and as time went on the interests of those carrying on business as manufacturers in Kent and Essex would undoubtedly increase, whereas on the Mersey the dock system was concentrated within a few miles on each side of the river. The circumstances on the Mersey in no way corresponded to those existing on the Thames. The Parliamentary Secretary to the Board of Trade had said that the Port Authority ought not to be unduly large. It was now proposed that the body should consist of twenty-eight members. With a body of that size, if the work was to be done in a businesslike way, there must necessarily be a large devolution of business to committees, and, therefore, unless they had a body sufficiently large to supply members for these committees, a heavy burden would be cast on the individual members of the authority, and in that way injury rather than benefit would be done to the administration of the Port. He believed that by adding two members to represent Kent and Essex they would add to the efficiency of the authority in quality as well as quantity, for the men who would be sent from these counties would necessarily know the conditions along the Thames much better than gentlemen representing London, or even the large shipowners. It would be of immense advantage to the Port Authority to have such men who were familiar with the facts of the riverside.

MR. PRETYMAN (Essex, Chelmsford) said it was with great diffidence he interposed, as he was not a member of the House when the subject-matter had been under discussion. There was one point which he desired to lay before the House, and that was that this new authority would have to deal with enormous interests, not only in the present, but in the years to come. Anybody who had studied the history of shipping and trade during the last century must see that the tendency was to get lower down the rivers into deeper waters; and, therefore, the interests that were growing interests were the lower interests of the river. That being so, he thought the position of Kent and Essex was differentiated from that of Surrey and Middlesex where the interests were already developed. Those interests which were developed had already representation on the body which governed the river. Had the new Port Authority been a body like the Mersey Docks and Harbour Board—a body but slightly representative of the riverside interests—there would have been very little to say, but when six representatives were given to London on geographical considerations he thought that the enormous present interests of Kent and Essex, and their still greater future interests, might fairly have been considered. He felt that the House would be acting wisely if they carefully considered the Amendments inserted by the Lords, giving the representation asked for.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): Let me first of all congratulate the hon. Gentleman on his return to this House, and on his first intervention in debate. I have very carefully thought over the position created by the action of the House of Lords on this Amendment, and I regret to say that with every desire—every disposition to deal in a reasonable and accommodating spirit with the other House of Parliament, I must ask the House to disagree with the Amendment which they have inserted in the Bill. It is quite true that a very strong case can be made out for the representation of Kent and Essex and that that case differs in some respects, though not in all respects, from the strong case that can be made out for Surrey and Middlesex, and from the even stronger case that might be made out for West Ham, the great working-class district in which these docks are. Under such circumstances the hardship, if any there be, of not including Surrey and Middlesex and West Ham will be increased and not diminished if Essex and Kent are included. The House should stand fair and square to the principle that this is a body in which a territorial and geographical representation is not to have its place, and the only representation shall be of the persons who are directly interested, as payers of dues in the welfare of the Port, or else those general public interests which are represented by the London County Council, by the City of London, by the Board of Trade, by the Trinity House—by those other bodies. Once you depart from the principle that the payers of dues and the general interests from a public point of view should be recognised, and come down to local and geographical interests being represented, if you let in any [illegible] must let in all.

MR. PRETYMAN: Can the right hon. Gentleman explain why the interest of the London County Council is more of a general interest than that of the Essex County Council?

MR. CHURCHILL: I should think that that was a question which was scarcely necessary. The London County Council is a great municipal authority, its fortunes are involved in the success of the whole of London and the Port of London, and to say that their view is not a general and central view is to my mind a statement to which this House will not be at all inclined to give any agreement.

MR. JOHN WARD (Stoke-on-Trent): On both sides of the river.

MR. CHURCHILL: You may put it as representing 4,000,000 of people, whereas the Essex point of view, although a very valuable one, is purely an Essex point of view, and has nothing to do with the general and large interests which we are trying to have represented on this body. And let me say that these bodies are protected by elaborate provisions in the Bill with which I will not burden the House—they are protected, and have all their rights unimpaired at law, and consequently I do not believe there is any great hardship, but if there is any it will not be diminished but increased by this picking and choosing. There is another reason that can be shown for not picking out counties for special favour and excluding others. If you were to include them all, what would be the result? We are putting up this great commercial authority to deal with the interests of the Port of London as a whole, to enable that great Port to compete successfully with ports like Hamburg and Antwerp; we are placing on them enormous duties and responsibilities, and we ought to make sure that they have a fair chance of being able to discharge those duties, and it does seem to me that to put upon a Port Authority of this character, four, or five, or six, members from outside—because that is what it has to come to—who are thinking of the interest of their own locality and not of the interests of the Port of London as a whole—to intrude this extraneous, unsympathetic element would be to hamper the action of the Port Authority, and perhaps lead to some kind of financial catastrophe. Under these circumstances, while I have every reason to acknowledge the spirit of reasonable discussion which prevailed in both Houses of Parliament during the debates on this important Bill, I must respectfully ask the House of Commons to disagree with the Lords in the Amendment they have proposed.

MR. COURTENAY WARNER (Staffordshire, Lichfield) said the interests of Kent and Essex were very much greater than had been represented by the hon. Member for Devonport, because a great part of the Port of London and the docks were in Essex at the present moment. London was, rightly or wrongly, given a representation, but Essex, where the new and growing part of the Port was, would have no representation. The growth of the Port would be down the river, and new docks and anything which was done for improving dock accommodation would be in Essex or in Kent—he believed almost entirely in Essex—outside the administrative area of the London County Council. In future, however, these two counties were not to be represented, and he thought it would be an injury to the work of the Port Authority that they were not represented. Nobody had asked that they should have power on the Port Authority to start doing any mischief there, but they were asking for one representative to voice their views on any question, and he thought it would be an immense advantage in greasing the wheels of the machinery, that there should be a representative of Essex with which every new scheme would have to deal. This was really the case, and there would be a great amount of negotiation to be conducted, and no possible injury to the work of the Port Authority could result, because one or two men would not be able to do much harm, but they might render service by preventing bodies likely to compete with each other coming into conflict. He regretted the position which the Board of Trade had taken up, and he should be compelled to vote against it, although he was very loth to do anything to interfere with this improvement in the way of the management of the Port of London.

MR. ADKINS (Lancashire, Middleton) wished to express his regret that he was unable to support the Government on this point. He thought from the statements which had been made, it was perfectly clear that the interests of Essex and Kent were so very specially and so organically related to the subject matter of this Bill that the distinction made by the President of the Board of Trade between the general interests of the London County Council and the sectional interests was really not an adequate description of the case. This matter had been considered by the County Councils Association, whose chairman, Lord Belper, supported this Amendment in another place, and from the point of view that the county councils should have a real representation of the interests they stood for, they were in favour of the Lords' Amendments. A very similar case arose last year with regard to a measure dealing with the Humber and the lower reaches of the Trent, and then after a most friendly discussion his right hon. friend the President of the Board of Trade gave representation to the counties of Lincoln and Nottingham. That representation had had the effect of greasing the wheels and working the machinery, and because of that precedent and of the very large interests of the county of Essex, he should without hesitation vote for the Amendment.

*MR. W. THORNE (West Ham, S.) said he would not detain the House long, because it was obvious that hon. Members had already made up their minds as to how they should vote. If the Government had accepted the Amendments proposed by Members on both sides of the House, giving separate representation to the different local authorities, it would have prevented the Lords making the Amendments which had been sent down for their consideration.

He felt in rather an awkward position at the present time, in consequence of being impelled to vote for the Amendment which had been sent down from another place, because on principle he absolutely denied the right of that other House to interfere with the business done in the House of Commons. But, nevertheless, the Lords were there, and he felt himself undoubtedly bound to vote for the Amendment, giving one representative to Kent and Essex. Of course, he should have liked to have seen the Government accept one representative for West Ham, which was more affected than any of the other local authorities in consequence of their having the whole of the Victoria Docks situated in the borough, also a part of the Albert Docks, and whose rating qualification was a very heavy one, but notwithstanding the fact that West Ham would not be directly represented he had made up his mind to vote against the Government. As a Socialist he would be told that he was a "whole hogger," but in this case he was prepared to accept half a loaf, but they were prepared to accept it in regard to this matter, because, although West Ham would not have the same representation as Essex, the West Ham Council could communicate with the representative of Essex. He should vote for the Amendment.

*Sir A. SPICER (Hackney, Central) said that as a member of the Committee he did not like to give a silent vote on this subject, but as an old Essex man he confessed he should have been very glad to have seen some representation given to that county. But, after all, the House must bear in mind that as a Committee they had a very difficult task to perform, the principle having been adopted that the Port was to be managed by London and that London was to bear the cost. After all, the cost would fall upon the traders of London, and, as had been said in that debate, they were not responsible for the representation of sectional interests, but they had increased the commercial representation. He believed they had struck a fair balance between the various interests, and the counties of Essex and Kent were almost sure to have representation on the Port Authority in, he ventured to think, a much more satisfactory way than they would have by being represented merely as sectional interests. [Cries of "No."] Some hon. Members said "No," but, after all, they were speaking without knowledge. They could not tell that they would not have representation on the first Port Authority, and he was quite sure that the Board of Trade would do their best to make that body, upon whom so much depended, as representative as possible. Under these circumstances, although he had a great deal of sympathy with his old county of Essex, he believed that the Government had taken the right line, and therefore he should vote in their favour.

Question put.

The House divided:—Ayes, 139; Noes, 32. (Division List No. 461.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Asquith, Rt. Hn. Herbert Henry
Bellairs, Carlyon
Birrell, Rt. Hon. Augustine
Boland, John
Bowerman, C. W.
Brace, William
Brigg, John
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Crosfield, A. H.
Dickinson, W. H. (S. Pancras, N.)
Duncan, C. (Barrow-in-Furness
Edwards, Enoch (Hanley)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fuller, John Michael F.
Gladstone, Rt Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Grey, Rt. Hon. Sir Edward
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Harmsworth, Cecil B. (Worc'r)

Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E
Haslam, James (Derbyshire)
Haworth, Arthur A
Hazel, Dr. A. E.
Hemmerde, Edward George
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Hooper, A. G.
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Joyce, Michael
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Lamont, Norman
Lewis, John Herbert
Lloyd-George, Rt Hon. David
Lupton, Arnold
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk Bg'hs)
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, RtHn. SirC. B. (Leices.
M'Laren, H. D. (Stafford, W.)
Mallett, Charles E.
Markham, Arthur Basil
Marnham, F. J.
Montague, Hon. E. S.
Montagu, Hon. E. S.
Mooney, J. J.
Myer, Horatio
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Malley, William
Ponsonby, Arthur A. W. H.
Powell, Sir Francis Sharp
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Roberts, G. H. (Norwich)
Roch, Walter F. (Pembroke)
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Scott, A.H. (Ashton under Lyne)
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, Abel H. (Hertford, East)
Smith, F.E. (Liverpool, Walton)
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Strachey, Sir Edward
Thomas, Sir A. (Glamorgan, E.)
Thorne, G.R. (Wolverhampton)
Trevelyan, Charles Philips
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Waring, Walter
Whitley, John Henry (Halifax)
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, RtHn. Sir Alex. F
Adkins, W. Ryland D.
Balcarres, Lord
Banbury, Sir Frederick George
Baring, Godfery (Isle of Wight)
Bethell, T. R. (Essex, Maldon)
Carlile, E. Hildred
Cecil, Lord R. (Marylebone, E.)
Douglas, Rt. Hon. A. Akers-
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Hardie, J. Keir (Merthyr Tydvil)
Hill, Sir Clement
Hope, James Fitzalan (Sheffield)
Hunt, Rowland
Hutton, Alfred Eddison
Jowett, F. W.
Kerry, Earl of
Lever, A. Levy (Essex, Harwich)
Lonsdale, John Brownlee
Magnus, Sir Philip
Mason, James F. (Windsor)
Pretyman, Ernest George
Renwick, George
Staveley-Hill, Henry (Staffsh.)
Talbot, Lord E. (Chichester)
Thorne, William (West Ham)
Valentia, Viscount
Warner, Thomas Courtenay T.
Whitbread, Howard

TELLERS FOR THE NOES—Mr. Rowlands and Mr. Whitehead.

Lords Amendment—

"In page 2, after line 13, to insert, by the Kent County Council, 1. By the Essex County Council, 1."—

Disagreed to.

Subsequent Lords Amendments to the Amendment in page 6, line 29, agreed to.

Lords Amendment—

"In page 6, line 29, after the word 'requisite' to insert as a new subsection '(c) nothing in this Act shall authorise the appropriation or the utilisation for the purposes of this Act of any common or commonable land or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, fuel, or other allotments, or any land held on trusts which prohibit building thereon."

Read a second time.

SIR H. KEARLEY said though the Government accepted the principle of this Amendment he was bound to move formally to disagree with it. There had been some misunderstanding in another place with regard to the Amendment they really did accept. As it appeared on the Paper it was in the form in which it was moved by the noble Lord and the Government intimated in Committee that on Report they would be prepared to bring up an Amendment in another form which the noble Lord said he would accept. He moved to disagree with the Lords' Amendment and would afterwards move it in the modified form.

Motion made, and Question—"That this House doth disagree with the Lords in the said Amendment"—put, and agreed to.

Amendment proposed—

"In page 6, line 29, after the word 'requisite' to insert the words '(c) Nothing in this section shall without the consent of the Board of Agriculture and Fisheries authorise the acquisition of any common or commonable land or any recreation ground, village green or other open space dedicated to the use of the public, or any disused burial ground.' "—(*Sir H. Kearley.*)

Sir J. JARDINE (Roxburghshire), as a Member of the Commons' Preservation Society, expressed satisfaction at the acceptance of the Amendment in the amended form. It merely followed beneficent legislation as regarded the preservation of commons in the neighbourhood of the Metropolis for the last sixty years, and it would make a precedent of the same sort which would be of great value in the future.

Amendment agreed to.

Lords Amendment—

"In page 6, lines 30 to 37, to leave out subsection (2)"—

Agreed to.

Lords Amendment—

"In page 6, line 39, after the word 'person, to insert the words 'not in the employment of any Government Department."

Read a second time.

Motion made and Question proposed, "That this House doth agree with the Lords in the said Amendment."

Lord R. CECIL (Marylebone, E.) said he understood the Government proposed to move to agree with the Lords' Amendment, and he did not desire to oppose that. The clause had been very considerably modified, and if he might say so very much for the better, since it left the House. In its present form it would be a useful precedent to extend to other bodies of a similar character. The only thing he desired to press upon the Government was this. They provided for an inquiry before an impartial and now an independent person, and that was all to the good, but if the Government would look forward, as he hoped they would, to a general application of some such principle as this, he thought it would be a desirable thing to have a permanent tribunal of the nature of the Light Railways Commission, to which all such applications should be referred. A permanent tribunal had great advantages from the point of view of having a regular course of procedure, and from the point of view of independence of any Government interest. He trusted the Government would consider some such suggestion with a view possibly of introducing a general Bill next session dealing with the whole subject.

Sir H. KEARLEY said the noble Lord would not expect him at that moment to make any definite pledge as regarded legislation, but they were very glad to recognise that in all parts of the House there was a growing feeling that some sort of permanent tribunal should be brought into existence in order to save promoters and others from the expenditure of time and money which was now most wasteful to all the interests involved. He asked the noble Lord to accept his statement—a sympathetic one—but he could not commit himself to any definite undertaking in regard to the future.

Question put, and agreed to.

Remaining Lords Amendments agreed to

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of, Mr. Burns, Lord Robert Cecil, Mr. Churchill, Sir Hudson Kearley, and Mr. Frederick Edwin Smith.

Three to be the quorum.

To withdraw immediately.—(*Sir Hudson Kearley.*)

MESSAGE FROM THE LORDS.

Children Bill.—That they agree to certain of the Amendments made by the Commons to the Amendments made by the Lords to the Children Bill, and agree to one other of the said Amendments, with Amendments, to which they desire the concurrence of this House; they agree to the consequential Amendments made by the Commons to the Bill, and do not insist on their Amendments to which the Commons have disagreed.

CHILDREN BILL.

Lords Amendments to Commons Amendments to the Lords Amendments to be considered forthwith; considered, and agreed to.

SITTINGS OF THE HOUSE.

Resolved, "That this House do meet To-morrow at Twelve of the Clock."—(*Mr. J. A. Pease.*)

MESSAGE FROM THE LORDS.

That they have agreed to—Coal Mines (Eight Hours) (No. 2) Bill, with Amendments.

Law of Distress Amendment Bill. That they agree to certain of the Amendments made by the Commons to the Law of Distress Amendment Bill, without Amendment, and disagree to one of the said Amendments, but propose an Amendment in lieu thereof, to which they desire the concurrence of this House.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Motion made, and Question proposed, "That the Lords Amendments be considered forthwith."—(*Mr. Gladstone.*)

MR. A. J. BALFOUR (City of London): It would be a great convenience to the House if the right hon. Gentleman would give a survey of the Amendments before the House, as we have no Paper, and cannot, therefore, see what they are. Of course, no one is to blame, but under the circumstances, perhaps the right hon. Gentleman will survey the Amendments to be dealt with.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Practically there are three points for the consideration of the House. The first deals with the period of five years during which, under the Bill as it stood, the second windings were to be excluded. The second point deals with the penalties—in what was Clause 6 of the Bill as it left this House. With regard to that the Amendments are complicated and somewhat lengthy, but the upshot is a new clause upon which an agreement has been reached, and in regard to which I do not think any exception or objection can be taken. Explanations will be given upon those Amendments when that point is reached. The third point is in regard to the date. Those are the three main points which this House has to consider.

Question put, and agreed to.

Lords Amendment—

"In page 1, lines 12 and 13, to leave out the words 'during the five years after the commencement of this Act.'"

Read a second time.

MR. GLADSTONE: In rising for the purpose of asking the House to agree with this Amendment, I have to express my regret that the Amendment has been—I will not say imposed upon this House—but sent down to this House for its consideration and practically for its acceptance. The Bill as it was introduced was not an eight-hours bank to bank Bill which, as I may remind hon. and right hon. Members opposite, was the demand put forward by the miners of the country. The Bill as it was introduced really provided for an eight-and-a-half-hour bank to bank day. There was on the average half an hour more per day than under the scheme first proposed by the Miners Federation. That was one concession which the miners were asked to make and they made it, and made it cheerfully. Then a further concession was made by the Government, to which again the Miners Federation agreed, in the exclusion of two windings for a period of five years. Now I must remind the House that over and above these concessions, the Bill provided that upon sixty days in every year an hour's overtime was to be allowed in every colliery. So that the House will see that the miners themselves had advanced in the point of concessions a very considerable distance. Now we are asked to assent to the further concession of eliminating the period of five years, and by so doing make the exclusion of both windings permanent, I am not going to waste any words on this occasion. We are met here for the purpose of business, and I will only say that the Government accept this Amendment under strong protest; that we do so in the hope, first of all, that that acceptance will conduce to the mineowners loyally co-operating in carrying out the purposes and objects of this Bill. We make this further concession, making it perfectly clear at the same time that we do not surrender our position. We do not admit that the Act was either dangerous or wrong as it stood when it left this House, and we hold that at the end of the five years period we shall be fully entitled to reconsider the position and take any constitutional measures that we think fit for the restoration of the position to that proposed in the Bill in the shape in which it left this House. I confidently believe that the country by that time will have seen the error into which the prophets of evil have fallen. I regret that we have to accept this Amendment, but we do accept it in the hope that it will lead to conciliation, to peace, and, as I have said, to the loyal co-operation of those who have pressed this Amendment upon us so that we may ensure that the fullest benefits shall be obtained from the Bill.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."—*Mr. Gladstone.*

MR. KEIR HARDIE (Merthyr Tydvil) regretted exceedingly that the Government had, apparently without protest—[Cries of "No, no."]—without effective protest, agreed to consent to this permanent mutilation of the Eight Hours Bill. He had read somewhat carefully the reports of the debates in another place on the Second Reading and Committee stages of the measure, and was convinced that if the Government had made it a condition of carrying this Bill through that the five years period should remain, the Leaders of the Opposition in the other House would have given way. So far as he could gather no negotiations had taken place, no attempt had been made to save the Bill. The hope indulged in by the Home Secretary that to accept this Amendment would make for peace and for conciliation was in the very nature of things doomed to bitter disappointment. Had the Bill remained the question would have been settled once and for all. With this Amendment it remained open, and during the next five years there would be constant uncertainty as to what was going to happen at the end of that period, agitations on the part of the miners with the probability that if a proper Bill was not introduced there would be a big dislocation in the coal trade to secure what the Bill would have secured for the miners if it had remained as it left this House. Was not this a good beginning to the campaign for the overthrow of the House of Lords? What his hon. friends opposite, the leaders of the Federation, were going to do was for them to say. They, after all, were the responsible parties in connection with the matter. He hoped for their own sake and for the sake of the Bill they would carry the matter to a division. If, on the other hand, they agreed to accept the decision of the Government, they on those benches would not take the responsibility of pressing a division in opposition to their wishes. He felt very strongly that if the House even now disagreed with this Amendment, the Lords, rather than run the risk of a conflict between themselves and the organised workers of the country, would climb down as gracefully as they could. What they were asked to receive was only the remains of the Eight Hours Bill. The trouble all through this matter had been too much concession. If there had been less concession on the part of his hon. friends opposite and on the part of the Government the Lords would not have dared to make this Amendment. But the mischief was done, and he hoped his hon. friends would still show their opinion of the action taken in another place by carrying the matter to a division.

MR. E. EDWARDS (Hanley) was with the hon. Member for Merthyr in his regret that this clause had been put into the Bill in another place. They regarded the extension from three to five years as a substantial concession to carry the Bill through. The Miners'

Federation, who had been working for years to get eight hours from bank to bank, had always realised that there might be some difficulty in securing it at once, but when the measure was in Committee of this House, the Bill as drafted met with the general approval of the miners throughout the country. They regretted that in another place where no representatives of working men had an opportunity of stating their views, where no member of the Miners' Federation was permitted to put their case, they should have thought fit to omit the five years and exclude the two windings. The Miners' Federation had had their annual conference that day, and had carefully considered this matter, and did not share to the full the views of his hon. friend the Member for Merthyr. The Miners' Federation realised the responsibility of the position they had taken up, and while they were as anxious as the hon. Member for Merthyr to carry an Eight Hours Bill, and while they were satisfied that at present they had a Bill which gave them eight hours underground, they, at the same time, most energetically protested against the action taken in another place. Whatever the Miners' Federation might do with the Members in another place was not for him to say, but one thing was certain, namely, that they would not let this question rest where it was. Having secured, at any rate, the machinery of this Bill, and that there should be no double-shift working with the men and overtime—having laid down that principle in this Bill—they would seek to secure what had been the goal of the Miners' Federation in the near future, an eight hours day from bank to bank. While they protested they did not feel as a Federation called upon to destroy the Bill, and having said that they would support the Government in their efforts to carry the Bill through.

MR. PONSONBY (Stirling Burghs) said he rose to support what fell from his hon. friend the Member for Merthyr Tydvil, and he would go one step farther than he did, and, if necessary, divide the House on this question. It was late in the year, and they were all agitated by one common feeling, which was to get away from this place; their bags were packed, and they desired to go, but such was the Constitution that the most important matters happened just at the end of the session. The result of accepting that particular Amendment of the House of Lords meant that they were not passing an Eight Hours Bill. It meant that the question was not settled, and that there would be an agitation for fresh legislation in the near future. If it were to be a compromise for the sake of a settlement, he would be the first to vote for it and to acquiesce in it, because, after all, their political life to a great extent depended upon compromise. This, however, was not a compromise for a settlement, but a concession which prevented a settlement. He hoped his hon. friends the Members for the Miners' Federation would not consider it presumptuous on his part to take this action. He had no desire to dictate to any man or to any Party, but he thought it would be better for them to listen to the advice of a friend than to submit to the dictation of their enemies. He did not believe that peace could come of any settlement of this sort. It was not as if they did not know very well the motives why the Lords had forced this Amendment upon them. The basis upon which they built their edifice in this matter was profits and prices, and not principle. He thought they were coming to a hasty decision which they would very much regret in the future. If they had had time for more calm deliberation, he felt sure the Miners' Federation would not have come to this decision, nor would the Government. They were forced up against Christmas, they were forced up against the desire of Members to go away, and in a weak moment, instead of showing some sort of moral courage, the Government had given in. He supposed they ought to be thankful that the Bill was discussed in Committee by their Lordships, and not disposed of in some private house in Mayfair; but in the great campaign against the Lords was their first step to be on their knees? Were they to show this timidity and allow themselves to be dictated to, not only submitting to have their Bills rejected in their faces before they were read a second time, but, if they were given a second reading, having the details altered so that they came back to them in a form which prevented their being efficacious or being the policy which the Government originally laid down? He had done his best during the autumn session to support the Government by keeping his mouth shut, but there was a moment when he could no longer do that. He felt very strongly on this point. He felt that they were making a great mistake. They were spoiling a very valuable Bill, and all for the want of keeping up till the last moment—at the end of a very exacting session, he acknowledged—their moral courage and strenuous desire to fight for the liberties for which they as a Party cared. He should certainly divide the House if no one else did.

Mr. BRACE (Glamorganshire, S.) said he had not intended to intervene in this debate, but as a miners' Member, he felt that they could not be expected to sit down under the rather severe strictures upon what after all had called for very mature and careful consideration on the part of the leaders of the organisation. It was all very well to talk about dividing the House and about fighting the House of Lords. If there was a body of men in this country who had displayed fighting capacity of a first-class character it was the miners, but, side by side with that fighting capacity, they had displayed some sagacity too. When they were going to fight they were going to select ground that would not be disastrous to themselves. Upon this occasion, what had they facing them? They had an Amendment from the House of Lords, an Amendment which they all deplored, an Amendment which they thought ought never to have been put in the Bill, an Amendment that would demand from them continuous agitation and ultimately again to demand that Parliament should give them what after all the miners had a right to ask. They were told in that Amendment that they were wrong. He associated himself with his hon. friend the Member for Merthyr Tydvil when he said that the mistake in tactics that they made in this House was to compromise too much. But they were now face to face with either accepting their Lordships' Amendment or standing the risk of having their Bill rejected altogether. If they thought that their Bill would not be rejected altogether, their attitude would be entirely different, but he asked the House to take it from him, as speaking with his friend and colleague the hon. Member for Hanley on behalf of the Miners' Federation, that they had spent too much time working, waiting, almost despairing for this Bill to take that risk, and rather than risk dividing the House—and, after all, what was the value of dividing the House of Commons unless with the intention and the determination to carry the House against the Amendment—it was because they felt that, when their President was put up in their name to enter their protest they entered their protest there on the floor of the House of Commons, and they would enter their protest against the House of Lords in all the ballot boxes they could command in the country.

Lord R. CECIL said he could not help thinking that some hon. Members regarded this Amendment as of more serious importance than it appeared to be. After all, it would leave the Bill precisely as it was when it left this House; the only effect would be that it would make a change five years hence unless some other Bill was passed. The hon. Member for Stirling Burghs had made an impassioned speech against the House of Lords. It was not the first time that they had heard such speeches against the House of Lords. [An Hon. Member: It will not be the last.] He had no doubt they would hear many more, and with precisely the same result. The hon. Member seemed to think the Government were in earnest in the matter, but surely the hon. Member should be convinced by the history of the past few years that that was an absurd hypothesis. Of course, this was merely part of the ordinary Parliamentary stock-in-trade of the Liberal Government. When anything went wrong they abused the House of Lords, and threatened all the terrible things they were going to do to them, without in any way compromising the length of their existence. The hon. Member had his sincere sympathy but he thought he was more ingenuous than he used to believe him to be.

MR. LUPTON (Lincolnshire, Sleaford) asked if he might say one word on behalf of the Government. It had been stated that this was not an Eight Hours Bill, and that was quite right. It was a seven-hours Bill, or a six-and-a-half hours Bill. The Miners' Federation had sent up Resolutions to the Committee relating to the hours of work underground, all under the impression that it was fixing eight-hours work underground. The Bill fixed practically not more than seven hours work underground as the maximum possible under the terms of the Bill as it now stood. Therefore, for people in favour of an Eight Hours Bill to object to this Amendment on the ground that it allowed too much time underground was inconsistent. If they did not wish the miners to work seven hours, let them say so, but let them not kick up a row because the Bill only allowed seven hours maximum work underground.

Question put, and agreed to.

Subsequent Lords Amendments to the Amendment, in page 3, line 19.

Agreed to.

Lords Amendment—

"In page 3, lines 19 and 20, to leave out the words 'during five years after the commencement of this Act.'"

Read a second time.

MR, KEIR HARDIE said this was an Amendment to which he wished to raise objection. It was not necessarily a consequential Amendment following upon the one already accepted. It would be remembered that under the Bill firemen, examiners, and deputies during five years were to be allowed to remain in the mines nine and a half hours a day, and thereafter nine hours a day. The effect of the Amendment made by the Lords was that the nine and a half hours per day would be stereotyped so long as the Bill remained the law. Everyone of his friends and colleagues agreed that that was a very serious matter. He did not know whether the Government had considered it. At any rate it was not a consequential Amendment on the one already agreed to. The effect of it would be that firemen, examiners, and deputies would have nine and a half hours a day, and he was sure the House of Commons would not desire such a result. These men held responsible and very often onerous positions, and he thought this was a point on which the Government might reasonably expect opponents of the Bill in another place to give way. The Amendment could be rejected without in any way endangering the Bill or interfering with further Amendments of any kind, while at the same time ensuring that the hours of these men whom he had specified should not be fixed at nine and a half but at nine hours per day. He therefore moved to disagree with the Lords in the said Amendment.

Motion made and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Keir Hardie.*)

*THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid): I hope that the hon. Member will not persist in his opposition to this Amendment, which is a consequential Amendment. The proviso in the Bill as it left this House was that in the case of firemen, examiners, and deputies, the maximum period below ground should—

"During the five years after the commencement of this Act be nine and a half hours, and thereafter nine hours."

Nine and a half hours was the maximum we laid down during the five years, and nine hours afterwards. But the House has already accepted the Lords' Amendment to strike out the five years in the first clause, the effect of which was to make the conditions which we laid down for those years, applicable generally, until the law would be altered; and the Lords by this Amendment have struck out the words "During the five years after the commencement of this Act and thereafter nine hours," so as again to make the provisions laid down by us for the firemen and deputies for the first five years, applicable generally, subject to future alteration by Parliament. I think this Amendment, therefore, is clearly consequential. The hon. Member for Merthyr twice in the course of his speech said that if we agreed to this Amendment we should be stereotyping and fixing the hours at nine and a half hours a day once and for all. The Amendment does nothing of the kind; it does something very different. When this matter was in Committee, and again on Report, I urged that we could not really fix the hours of firemen and others who are mainly and primarily responsible for the safety of the mine to be the same as for those who ordinarily work in the mine, and who, though responsible as individual workmen, are not responsible as officials. The firemen who are mainly responsible for the safety of the mine are not regulated by a particular shift. The firemen have to go down a considerable time before the shifts, but it does not necessarily follow that they remain down nine and half hours. I urged the desirability of such arrangements being made between these men and the employers as would enable them to work the mine efficiently and safely, and I believe that will be done by arrangement between the masters, the officials, and the men. It is quite clear that we are not increasing the hours; in many cases the Act will greatly diminish them; nor are we fixing or stereotyping the hours at nine and a half hours a day; what we say is that that nine and a half hours would be the maximum period beyond which it would not be possible for them to remain underground. They have to go underground, as I have said, before the miners, and therefore they cannot be in the same shift as the miners at all, and really they are in a separate and different category. Far be it from me as representing, not only the Government, but a mining constituency, to urge that these men should be kept underground longer than others; and it cannot be in the interest of the owners or of themselves that their hours of work should be such as to slacken their energies or to weaken their efficiency; but circumstances may arise out of the obligations resting upon them which may require, apart from questions of sudden or unforeseen emergency, that they shall be allowed in some cases to remain underground somewhat longer than the ordinary miner. I have had no representation myself from the firemen to show that they cannot trust these matters to be regulated between themselves and their employers. If they thought it necessary that they should come within the hard and fast rules applied to the miners engaged underground, I think they would have made a representation to me on the subject, or to me they would have made a representation indirectly through their special representatives. I think the reason that they have not made such representation is, as I have said, that there is a difference in their position, and that they recognise that difference. The whole of these men form only some 3½ per cent. of all those engaged in the mining industry, and they may fairly look for a limitation of hours, not to an Act of Parliament framed for the benefit of those who are not able to take care of themselves, but to arrangements made between themselves and their employers in view of their joint and respective obligations to look after the safety of the colliery.

Question put, and negatived.

Lords Amendment agreed to.

Subsequent Lords Amendments to the Amendment in page 5, line 35, agreed to.

Lords Amendment—

"In page 5, line 35, to leave out subsection 2.'"

Read a second time.

SIR S. EVANS: This Amendment is the last of a series, which makes a considerable difference in the form of the clause from what it was when it left this House, but I can assure hon. Members that there is really no difference at all in substance. As the clause now stands there will be a substantive obligation on the employer and his representative to make that regulation, and to provide the necessary facilities for raising the men out of the pit in accordance with the provisions of the Act. The only other alteration made is this. If failure to comply with the Act is proved or if there is any contravention on the part of anyone directly concerned, or if there is indirectly connivance at contravention, there will be an offence committed on the part of the owner, agent or manager of the mine. There is considerable difference in form, but really little, if any, in substance, and I beg to move to agree with the Lords Amendment.

Question, "That this House doth agree with the Lords in the said Amendment," put, and agreed to.

Lords Amendment—

"In page 6, lines 11 and 12, to leave out the words 'as respects mines in the Counties of Northumberland and Durham.'"

Read a second time.

MR. GLADSTONE: I beg to move that the House disagree with this Amendment. It will be necessary to detain the House two or three minutes because the point is an important one, and it is necessary to state the reasons for our disagreement. Two points emerge quite clearly from the debates which have taken place here and elsewhere. First there is a general agreement apart from those who may be specially interested in the trade of a particular district that a summer date for the commencement of the Act is desirable. In the second place it is also clear that any date which may be proposed is open to serious objection from one district or another—possibly from several districts. The House knows what has happened. The date in the Bill when it left the House was 1st July, 1909, and the date now is 1st July, 1910. I understand that in another place there is a full disposition to acquiesce in the views of the Government, provided, and it is a proper condition, the Government takes full responsibility upon itself for the date. The Government never has desired to avoid this responsibility, and, assuming that it has a perfectly free hand, naturally that responsibility must rest upon it, and I therefore frankly say that we do accept full responsibility for the date which we are going to propose. What are our reasons for reverting to the date as it was in the Bill when it left the House? We say as regards 1st July, 1910, in the first place it is far too distant a date, and in the second place I would suggest that, looking at it from the general point of view of the consumer, it may be that the conditions of trade under which the Bill would begin to operate in 1910 would not be nearly so favourable as they are at an earlier date. I pass to the date of 1st January, 1910, which has also been proposed. As regards that I say emphatically after full consideration that we cannot take the responsibility of bringing this Bill into operation in mid-winter all over the country. As regards 1st April, 1910, or 1st October, 1909, no serious arguments have been brought forward as alternatives. I come by a process of elimination to 1st July, 1909. Then the question turns upon the concession which we have made with regard to Durham and Northumberland. I agree that that is a matter which may fairly provoke discussion. We proposed that an extension of the preparatory time should be given to Durham and Northumberland of six months, so that the Bill should begin to operate in those counties on 1st January, 1910. It has been urged that the Committee presided over by my hon. friend behind me found in its conclusions that, as regards the probable economic effect, more serious consequences were likely to ensue in South Wales and parts of Lancashire than elsewhere, and that has been used as an argument against this concession. But I do not argue that because the ground of our concession is a practical one. Is the reorganisation possible by 1st July? I would say this, that no representation has reached the Government either from South Wales or Lancashire with regard to the difficulty of making sufficient preparation by 1st July, and the reason is this, that though the Committee may be right in regard to their conclusion on economic grounds, yet the problem of reorganisation in those districts is far simpler than it is in Durham and Northumberland. Why? Because it seems that in South Wales and Lancashire hours will have to be knocked off, so as to bring them within the operation of the Act, and then economies of time in various respects will have to be made, and, where necessary, multiple shifts may be introduced. But, as regards Durham and

Northumberland, the case is quite different. Through the past year my Department has had constant representations from Durham and Northumberland from both masters and men as to the necessity for giving more than six months, and we found in our judgment that, as the present system of working in Durham and Northumberland is incompatible with the provisions of this Bill, more time will, in fact, be necessary. It is not a question of reorganisation only in Durham and Northumberland. It does mean undoubtedly reconstruction from top to bottom. There will be the difficulty of providing a full equivalent shift of hands for the hewing shift. There will be the difficulty of finding men and boys sufficient by the time the new arrangements have to be made. We have never denied this. New conditions of work and pay will have to be arranged. All these difficulties exist, I maintain, so far as reconstruction and reorganisation go, to a greater degree in Durham and Northumberland than elsewere. We propose to give Durham and Northumland not so much preferential treatment, but, broadly speaking, equalisation of conditions in starting the operation of the Bill. I should like to quote in no critical or hostile way some words spoken by the Leader of the Opposition, because on 9th December he put this question to the House, and he addressed it in particular to the representatives of the miners, both in Durham and Northumberland and elsewhere. He said—

> "How is the industry in Northumberland and Durham to be remodelled by July so as to be brought in accordance with the scheme of this Bill? The House will see that I am trying to confine myself to a very practical issue. I am not going on theory at all. The practical issue is of the first importance."

And then he put his question to the practical men in the House as to how this proposed change could be effected in Durham and Northumberland, and I imagined from that that the right hon. Gentleman was possessed with the difficulty of the question in Durham and Northumberland rather than elsewhere. The question was answered, and my hon. friend, who represents the Miners' Federation in this House, supported the proposal of the Government, which, after the right hon. Gentleman had spoken, I made to the House, that this concession should be made to these two counties. There remains for consideration whether that concession involves preferential treatment which is unfair to other parts of the country. From the first I had in mind the possibility of that. For that reason more than three weeks ago in the Standing Committee, in answer to a very powerful appeal by my hon. friend the Member for Mid-Durham, I said I would see if the Government could meet the special claim of Durham and Northumberland to an extension. I did not commit myself, but I said that advisedly, so that it might be known what the Government were thinking of, and that if any special representation could be made by those concerned it might be made before the Government committed itself to that plan. There were no protests in the Standing Committee——

MR. MARKHAM (Nottinghamshire, Mansfield): I protested.

MR. GLADSTONE: I thought the only protest came from the senior Member for Merthyr Tydvil. However, I quite accept the statement that two hon. friends behind me made a protest. But no other protest reached my Department, except one or two from individual mine owners who wrote and said there would be difficulty caused by competition. The first day on Report stage the right hon. Gentleman opposite dealt with this question, and I said I proposed to make this alteration, and I did so make it two days later. As I said even then, no protest from the trade had reached me; the hon. Member for Mansfield did protest strongly, but the House accepted the Amendment without a division. I agree there may be something in the argument of my hon. friend in regard to the possibility of some advantage to Durham from this concession. But surely this concession is a small thing. It is not as if Durham and Northumberland were to have six months full advantage. They will have to make their preparations, and the whole of their reorganisation and reconstruction will have to come into force on 1st January 1910. Therefore in the last months of the extension they will have to be making their preparations. I maintain that it hardly lies at any rate on the mine owners all over the country, who for twenty years have said that this change would cause special loss to Durham and Northumberland, to say now that if this small concession is made it will have a disorganising effect on other parts of the country. These very mine owners themselves propose that a local option clause should be put in any such Bill to enable Durham and Northumberland to contract themselves out of the Act. I cannot but think, having regard to the fact that the coal owners have not made any representation to the Government or to my Department against this clause, that we may safely propose to disagree. I understand that in another place the disagreement here will not be opposed, and, therefore, I move to disagree.

Motion made, and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—(*Mr. Gladstone.*)

MR. A. J. BALFOUR: I have nothing to criticise or complain of either in the tone or in the substance of the speech which the right hon. Gentleman has just delivered. I think the question of date is an extremely difficult and delicate one, and I do not think any arrangement of date would altogether avoid grave objection, and I think in these circumstances the responsibility for settling the date must rest upon His Majesty's Government. At any rate, that is my view. As the House will remember, as the Bill came from Grand Committee it was coming universally into operation next July, and as it left this House it was coming into operation next July except in Northumberland and Durham, where it was coming into operation in a year's time. The House of Lords—I am not surprised at it—saw the very great inconvenience that arose from having two dates. It was pointed out to them, I think by the Government, that a winter date had most serious objections inevitably attached to it, and, therefore, they suggested that a summer date should be chosen, but a summer date which would give ample time to Northumberland and Durham to come into the Bill. Therefore, they suggested that it should be July year, and I think there is a good deal to be said for it. But let it be noticed that it has this very serious disadvantage. I cannot believe that it is for the interests of either employers or employed that this thing should be hanging over them for a year and a half, and what moves me even more than the question of employers and employed is the fact that no human being can tell what will be the condition of the coal market a year and a half hence. We cannot be certain what it will be next July, but we cannot bring in the Bill before next July, and we have much better means of forecasting the future for six months than for eighteen. In these circumstances I am bound to say that if I were in the place of the Government I should feel the responsibility of deferring the whole date for a year and a half to be so great that I should hesitate to take it on my shoulders. But the Government have gone further than that. They have clearly laid down that in their view out of all the possible solutions the one, which is not indeed unobjectionable, but which is open to the least objection, is that which brings in the general operation of the Bill in July and in Durham and Northumberland in a year's time, and if they take that view upon their responsibility I for one shall certainly support them.

MR. MARKHAM said that on the last occasion when the question came up for discussion he was unable to find anyone to second the proposition that he made, and he was not able to take a vote of the House. The Home Secretary had stated that he had received no communication from any coal owners with reference to the extension it was proposed to give in the North of England.

MR. GLADSTONE: I said we had received a few protests from individuals.

MR. MARKHAM asked how it was possible for the trade to communicate with the Government when they had been chopping and altering the Bill about as they had done. When it came down on the Report stage there was no extension in the Bill for Northumberland and Durham. The Mining Association of Great Britain had met to discuss this matter, and they were unanimously of opinion that a preference ought not to be given to Durham and Northumberland. He was authorised by the Yorkshire Coal Owners Association and the Derbyshire Coal Owners Association to say that in their opinion the giving of this preference would have the very gravest consequences to the counties of Nottinghamshire, Yorkshire, and Derbyshire. The position of the coal trade at the present time was one of great depression. They had just passed through a period of inflated prices. During the last three weeks, although they were told the passing of this Bill was going to cause a great increase in the price of coal, contracts had been made by all the large collieries over next year at a reduction of no less than 2s. 6d. to 3s. a ton. It would mean that they were going by legislation to increase the cost to the Midland Counties by at least 6d. per ton, and to leave Durham and Northumberland during that period without any addition to their cost. He could assure the House, speaking with some knowledge of the coal trade, that a difference of 2d. or 3d., so keen was the competition, would mean a loss of contracts to the Midland districts. He hoped the House would acquit him of any selfish motive in raising this question. He said that chiefly for this reason. After the debate on Monday night he went to Yorkshire, and he found in Yorkshire the pits were working three days, three and a half, and in some districts two days a week, and the complaints he heard from the men at the collieries with which he was connected were of short trade. He pointed out that the Liberal Government were going to give them less trade, because they were going to give a preference to the North of England which was bound to dislocate the trade and make them work short time, whereas the trade with ordinary competition and without the Bill would have been equally divided between the North of England and the Midland district. He strongly dissented from the view of the Home Secretary that it would take twelve months for Northumberland and Durham to change their system of organisation. If Northumberland and Durham, with the very able Members who represented the mining industry in those counties in that House, together with all those gentlemen who had made so much money in Durham and Northumberland, and who were experts on these questions of mining, could not settle this question in six months he was quite certain they could not settle it in twelve. Speaking again with some long experience of mining work, it was ridiculous from a practical standpoint for coal owners to come to the House and attempt to persuade the Home Secretary that this reorganisation could not take place under twelve months. He understood, and it had been formally notified to him by representatives of the Mining Association of Great Britain, that protests against this preference were made in another place by Lord Balfour of Burleigh, speaking for Scotland, by Lord Dunraven, speaking for South Wales, and by other noble Lords, speaking on behalf of other districts. It was amazing that after Lord Lansdowne had stated that they had decided to abandon preferential treatment for Durham and Northumberland, and make the Act begin on the same day for all the collieries, they had nothing more to say. He thought the arguments advanced by Lord Lansdowne were not only most cogent, but were based on solid foundations of fact. They were such as would, he was sure, in the long run prove true, and if this preference was given it would cause dislocation to the trade which hon. Members who had no knowledge of the coal trade little understood or appreciated. All the Coal Owners Associations had had urgency meetings in connection with the matter, and had passed Resolutions, but they had not sent them to the Home Secretary. They had sent them to the miners' leaders, to himself, and to others who were speaking on behalf of equal treatment for all interested in the trade. He hoped the argument of six months was not one which would commend itself to the House. The Home Secretary had the best motives, but he had been squeezed by the coal owners and the miners' agents in this matter, and had given way to them, whereas he never ought to have given way. This preference would inflict a great injury on his constituents and on all those associated with the trade, and, therefore, he should certainly vote against it and divide the House as a protest against this unequal contracting-out clause. He was not going to speak for South Wales, because the hon. Baronet who was largely interested in the trade in South Wales would lay before the House, he was sure, in an able manner, the position in that district, which again was in keen competition with the North of England.

*Sir C. J. CORY (Cornwall, St. Ives) said he was very disappointed that the Home Secretary had not seen his way at least to make the clause read that it should come into operation in the whole country on 1st January 1910, even though he did not agree to the Amendment made in another place. He would beg to point out to him that in Committee he had an Amendment down that it should not come into operation before 1st January, 1910. He strongly urged also that the whole of the country should be treated alike, and that if any preference should be given to any particular coal field South Wales and Monmouthshire had the most need of a preference. He also urged the same thing on Report stage and on Third Reading. He could quite confirm what the hon. Member for Mansfield had said that the Mining Association of Great Britain had all along urged that no preference should be given to any district. He had also had numerous telegrams and letters from the South Wales and Monmouthshire Coal Owners Association, the Cardiff Chamber of Commerce, and numerous traders, urging that the Bill should not come into operation so far as South Wales was concerned before January 1st 1910. Although some large companies in South Wales had declined to make contracts beyond 30th June, 1909, other companies to a very large extent had made numerous contracts over the whole of next year. Whether it would be a loss or not they had been bound to make their contracts so as not to lose customers, and if the Bill came into operation in the middle of next year it might mean a very heavy loss to them. Further, the agreement with the miners did not end until the end of next year, and if the Bill came into operation in July it would possibly cause a dispute and even a strike. That did away, to his mind, with a great deal of the winter argument—that if it was brought in in the winter they might have high prices—because if the miners of the South Wales coal field went on strike when the Act came into force in July and remained out for some time that would send the prices up in the winter. He was sure it was to the advantage of the country generally that the Bill should not be brought into operation until 1st January, 1910, and he appealed, even at that late hour, to the right hon. Gentleman to agree to that.

Mr. FENWICK (Northumberland, Wansbeck) said that Northumberland had never asked for any preference, nor did they want any preference. All that they were asking for, and what they had always asked for, had been time in order that they might carry out a complete transition from one organised condition of things to another. All those hon. Members who had sat in previous Parliaments and had heard what they had to say on this subject would bear him out when he said the essence of their objection to the Miners' Eight Hours Bill had been the want of time necessary in order to reorganise the districts concerned, but the Federation would not grant that time. They rigidly adhered to the time limit which was far too short to reorganise the whole industry in the North of England. They had protested against the Bill on principle from the very first. All that they asked for was that they should have time allowed to them to be able thoroughly to reorganise the industry as they would have to do from top to bottom. The condition of things in the two counties of Durham and Northumberland was absolutely and totally dissimilar to the condition of things existing in any other part of the mining community throughout the United Kingdom. The contracts in Northumberland—the county which he knew best—were fixed for the whole of next year, and his hon. friend would have them fix the period for this Act coming into operation as 1st July, the same date as in other parts of the country. The hon. Member would have them further adhere to all the contracts which they had made, and fulfil those contracts at the risk of having to pay for the breaking of the contracts if they were not carried out. He would have them reorganise the whole of their industry in six months. He knew that his hon. friend the Member for Mansfield possessed great organising capacity, but he assured him that with all his ingenuity and all his organising capacity if he were to go down to Northumberland and Durham he could not reorganise the industry in the way it would have to be done in a less period than twelve months. He had simply risen to thank the Government for having moved to disagree with the Lords Amendment, and for their intention to reinsert the language of the Bill as it stood when it left this House. He and his friends had no desire for a preference. If his hon. friend and the Federation had come to ask for twelve months, they would not have been parties to opposing their getting that period.

Lords Amendment disagreed to.

Remaining Lords' Amendments disagreed to.

A consequential Amendment made to the Bill.

Committee appointed to draw up reasons to be assigned to the Lords for disagreeing to certain of the Amendments made by the Lords to the Bill.

Committee nominated of, Mr. Enoch Edwards, Mr. Secretary Gladstone, Mr. Herbert Samuel, Mr. Solicitor-General, and Lord Edmund Talbot.

Three to be the quorum.

To withdraw immediately.—(*Mr. Gladstone.*)

LAW OF DISTRESS AMENDMENT BILL.

Lords' Amendments to Commons' Amendments to Lords' Amendments to be considered forthwith.

Motion made, "That this House doth agree with the Lords in their Amendment."—(*Mr. Herbert.*)

MR. RAMSAY MACDONALD (Leicester) expressed regret that his hon. friend had accepted the Amendment. The Bill had been whittled down very considerably. He understood that the effect of the Amendment now before the House was to exempt existing leases. There were, he was informed, a very large number of sub-tenants paying rent to intermediate landlords, who in turn paid rent to the superior landlords. The effect of the Amendment was that these inferior tenants who had paid rent to an intermediate landlord might be distrained if the intermediate landlord had not paid his rent to the superior landlord. The Bill, therefore, might result in very grave injustice to sub-tenants.

MR. HERBERT, who was indistinctly heard, said the hon. Member was under a misapprehension as to the effect of the Bill. He did not think there was any real substance in the Amendment made by the Lords. He hoped the House would agree to the Amendment.

MR. CROOKS (Woolwich) said he would like to hear the opinion of the Attorney-General on the subject. Supposing a man had paid his rent to an intermediate landlord, what would happen if the superior landlord came in and seized his goods?

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields) said he regarded the Amendment as a serious inroad on the value of the Bill. It was for the House to say whether it was worth fighting.

MR. CROOKS: It is worth fighting.

Question put, and agreed to.

MESSAGE FROM THE LORDS.

That they have agreed to:—Buxton Charity Bill; Long Ashton Charity Bill; Abbots Bromley Charity Bill; Post Office Savings Bank (Public Trustee) (No. 2) Bill; East India Loans Bill; Crofters' Commons Grazings Regulation Bill; Constabulary (Ireland) Bill; Water of Leith Purification and Sewerage Order Confirmation Bill; North British Railway Order Confirmation Bill, without Amendment.

Tuberculosis Prevention (Ireland) Bill; Summary Jurisdiction (Scotland) Bill; Local Government (Scotland) Bill, with Amendments.

Amendments to:—Post Office Sites Bill [Lords]; Companies Consolidation Bill [Lords]; Poisons and Pharmacy Bill [Lords]; Appellate Jurisdiction Bill [Lords]; London Electric Supply Bill [Lords]; London (Westminster and Kensington) Electric Supply Companies Bill [Lords].

Amendment to:—Criminal Appeal (Amendment) Bill [Lords]; Assizes and Quarter Sessions Bill [Lords], without Amendment.

Mr. Herbert.

That they have passed a Bill, intituled, "An Act to consolidate the Enactments relating to Agricultural Holdings in Scotland." [Agricultural Holdings (Scotland) Bill [Lords.]

TUBERCULOSIS PREVENTION (IRELAND) BILL.

Lords' Amendments to be considered forthwith; considered, and agreed to.

SUMMARY JURISDICTION (SCOTLAND) BILL.

Lords' Amendments to be considered forthwith; considered, and agreed to.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Lords' Amendments to be considered forthwith; considered, and agreed to.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [LORDS].

Read the first time; to be read a second time To-morrow, and to be printed. [Bill 412.]

PORT OF LONDON BILL.

Reason for disagreeing to certain of the Lords' Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Churchill.*)

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Reasons for disagreeing to certain of the Lords' Amendments reported, and agreed to.

To be communicated to the Lords.—(*Mr. Gladstone.*)

Whereupon Mr. SPEAKER, in pursuance of the Order of the House of 31st July adjourned the House without Quesion, put.

Adjourned at sixteen minutes after Seven o'clock.

HOUSE OF LORDS.

Saturday, December 19th, 1908.

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION (PROCEEDINGS).

Return, for the month of October, 1908. Presented (by Command), and ordered to lie on the Table.

THE BRITISH MUSEUM EXTENSION.

THE DUKE OF NORTHUMBERLAND rose "to call attention to the delay which has taken place in the erection of the new buildings at the British Museum; and to ask when the work will be resumed." The noble Duke said: My Lords, this question is one of rather a pressing character owing to the entire standstill of proceedings in connection with the new buildings at the British Museum. I will briefly narrate what has happened. As far back as 1903 the Board of Works had plans for this addition to the British Museum. After considerable delay the first contract was made in April, 1906. In April, 1907, the estimate was revised, and revised to such an extent that the original figure of £13,000 was advanced to £25,000. In June, 1907, the contracts were completed, and His Majesty the King laid the foundation-stone of the new extension. That was eighteen months ago, and from that day to this not one single thing has been done. The whole work is at a standstill, and repeated communications with the Board of Works from the trustees of the British Museum have, I will not say received no notice, but have led to no effective action being taken. The only thing that has been done—I refer to this for fear the noble Lord who will reply to me may mention it as if I had forgotten it—was in September last, when I believe some work was undertaken on the boiler house, which had absolutely nothing to do with the main extension. A promise was made that the work would be begun last September. That was to a certain extent retracted, because, when Sir William Bull, in the House of Commons, asked when any work would be done in this matter, it was then said it would be begun early in October. We are now at the end of December, but nothing has been done. Those are the facts concisely stated, and I have thought it my duty to put this Question in the hope that some acceleration of the business will take place, and that more energy will be shown in a work of such great public importance.

*LORD O'HAGAN: My Lords, in answer to the noble Duke I should like to say that the First Commissioner of Works of course fully appreciates the great importance of this work and the attention it should deserve. He also sympathises with the Trustees in respect to the delay that has occurred. As, I think, the noble Duke is aware, the engineering requirements with regard to the completion of the building of this extension of the British Museum have offered some considerable difficulty. The delay which has occurred has been largely owing to the protracted negotiations which have taken place between the engineer and the architect, more especially with regard to these engineering requirements. These negotiations have been satisfactorily concluded, detailed plans have been drawn up, and the various specifications have been made. The Board of Works have received a number of tenders, which are at present under consideration. I cannot state the exact date on which the building will be commenced, but the First Commissioner expects to come to a decision on those tenders in the course of a very few days. As soon as that decision has been arrived at the buildings will be proceeded with as soon as possible.

THE DUKE OF NORTHUMBERLAND: Am I to understand that, when the First Commissioner of Works stated that the work would be begun last October, he had not actually got the tenders out?

*LORD O'HAGAN: I am afraid I cannot answer that question. He quite understood that the work would be begun at that time.

PUBLIC MEETING BILL.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Donoughmore.*)

On Question, Bill read 3ª.

THE EARL OF DONOUGHMORE said he had carried out the suggestion made the previous day by the Lord Chancellor and had printed *in extenso*, in the shape of an Amendment, the new clause which he proposed should take the place of Clause 1 as now in the Bill.

Amendment moved—

"In page 1, line 5, to leave out Clause 1, and to insert the following new clause: '(1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be guilty of an offence, and if the offence is committed at a political meeting held during the progress of and in connection with a Parliamentary election he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding five pounds, or to imprisonment not exceeding one month. (2) Any person who incites others to commit an offence under this section shall be guilty of a like offence.' "—(*The Earl of Donoughmore.*)

VISCOUNT ST. ALDWYN moved to amend the Amendment by leaving out the words "during the progress of and in connection with a Parliamentary election" in order to insert "in any Parliamentary constituency between the date of the issue of a writ for the return of a Member of Parliament for such constituency and the date at which the return of the said writ is made." He thought the words which he proposed to omit were vague. There was no actual decision as to the time which was included in the progress of an election, and it would be possible, where a magistrate had decided that a meeting came within the provisions of this paragraph, that an appeal might be made to the High Court and a great deal of expense unnecessarily incurred. His suggested new words would make the matter clear.

Amendment moved—

"In the proposed new clause, lines 5 and 6, to leave out the words 'during the progress of and in connection with a Parliamentary election,' and to insert the words 'in any Parliamentary constituency between the date of the issue of a writ for the return of a Member of Parliament for such constituency and the date at which the return of the said writ is made.' "—(*Viscount St. Aldwyn.*)

THE LORD CHANCELLOR (Lord LOREBURN) thought that the suggestion of the noble Viscount was a good one. There was a difficulty in ascertaining what was the progress of a Parliamentary election. It depended on the circumstances of each case, and it was impossible to lay down any absolute rule.

On Question, Amendment to the Amendment agreed to.

Amendment, as amended, agreed to.

VISCOUNT MIDLETON asked whether the Government had considered the question of municipal elections, especially in the London area. He thought there was a serious anomaly in applying this penalty to small meetings in country districts held in connection with Parliamentary elections, and leaving out of the scope of the Bill possibly large and turbulent meetings held in the metropolis in connection with municipal elections. If, however, the Government were satisfied that it was better not to include municipal meetings, he would not move the Amendment to that effect standing in his name on the Paper; but he would like an expression of opinion from the Government on the point.

EARL BEAUCHAMP said the Government would be willing to accept an Amendment applying the Bill to municipal elections unless objection to that course were taken on some point which had not yet occurred to the Home Office.

VISCOUNT ST. ALDWYN was afraid there would be some difficulty in the matter. The words which, at his instance, their Lordships had inserted would not apply to municipal elections at all, because there was no issue of a writ in respect of such elections. Some other words, therefore, would be necessary if the Bill were to include meetings held in connection with municipal elections.

THE LORD CHANCELLOR suggested that it would be better not to apply the Bill to municipal elections at all. He thought that would be rather going beyond the general purposes of the Bill.

VISCOUNT MIDLETON intimated that, after the opinion expressed by the noble and learned Lord on the Woolsack, he would not move his Amendment.

Then (Standing Order No. XXXIX. having been suspended), Bill passed, and returned to the Commons.

LOCAL GOVERNMENT (SCOTLAND) BILL.
SUMMARY JURISDICTION (SCOTLAND) BILL.
TUBERCULOSIS PREVENTION (IRELAND) BILL.

Returned from the Commons with the Amendments agreed to.

LAW OF DISTRESS AMENDMENT BILL.

Returned from the Commons with the Amendment made by the Lords to the Commons Amendments to the Lords Amendments agreed to.

COAL MINES (EIGHT HOURS) (No. 2) BILL.

Returned from the Commons with several of the Amendments agreed to; with one of the Amendments agreed to with an Amendment, and certain other Amendments disagreed to with reasons for such disagreement. The said Amendment and reasons considered (on Motion).

THE LORD STEWARD (Earl BEAUCHAMP): My Lords, perhaps it would be convenient that I should now ask your Lordships not to insist upon certain of the Amendments which were made by your Lordships' House to this Bill. The Commons disagree to the Lords' Amendment on page 6, lines 11 and 12, for this reason, that they consider that the system of working the mines in Northumberland and Durham cannot be reorganised by 1st July next. The Commons disagree also to the Amendment in page 6, line 13, to leave out the word "January" and to insert the word "July," because they think it is inexpedient to defer the operation of the Bill to so late a date as 1st July, 1910. The Commons propose to amend the Lords Amendment to leave out all words from the word "ten" in page 6, line 13, to the end of the subsection, by restoring the words "and elsewhere on 1st July, 1909." The practical result of this is that the Commons have reinserted in the Bill the clause in the shape in which it stood when the Bill came up to your Lordships' House. I beg to move.

LORD BALFOUR OF BURLEIGH: I should like to know the precise Motion which the noble Earl moves. It is obvious that where the Commons have agreed to our Amendments nothing more is to be done, and where the Commons have amended an Amendment probably there would be no difficulty in agreement. I certainly object, however, to taking the disagreements *en bloc*. I think they should be put one by one, and on one of them I wish to make a few remarks.

EARL BEAUCHAMP: We will do whatever is convenient to the noble Lord. I will first take the Motion that the House doth not insist upon the Amendment to page 6, line 13—that is, the Amendment by which your Lordships substituted "July" for "January."

LORD BALFOUR OF BURLEIGH: For the purpose of putting myself in order, I shall move that the Amendment be amended so that it shall read: "the first day of October, 1909." The effect of that will be to shorten this period of preference by three months. I suppose it is hopeless to take any other course. Though I am not sufficiently versed in Parliamentary practice to state definitely, I am afraid that if we were to carry a Motion disagreeing with the Commons' Amendment it would have the effect of destroying the Bill. I do not intend to move that, but I demur altogether to the reasonableness of the course which has been taken. So far as I interpret it, the East of Scotland has been sacrificed by the Government for the benefit of the North-East of England. I think that is perfectly obvious. We are in exactly the same position; we are competing in the same markets for the export of coal, and we are known to be competing with each other, yet for a period of six months the North-East of England is to have a preference over the East of Scotland. I say that is unfair, and I think it will be regarded as unfair in the district with which I have the honour to be connected. I daresay that in the counsels of His Majesty's Government those in the North-Eastern counties of England are more powerful; but one of the constituencies affected is represented by the Prime Minister and both of the others by the most docile supporters which His Majesty's Government have in the other House. I say that their docility is being traded upon for the benefit of His Majesty's Government, and that it is entirely wrong, however docile they may be, that this advantage should be taken of the position. The preference cannot be defended on the merits; it has never been sought to be defended on the merits so far as I can understand, and there would be no real objection to this difficulty being diminished as far as possible. I shall, therefore, move that the Commons' Amendment be amended so that it should read: "on the first day of October, 1909."

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, this is, I think, the third time I have had to speak on this particular point, and I should be unwilling to intervene now except that I think the noble Lord has brought a somewhat unfair charge against the Government. He said that the representatives of Northumberland and Durham were particularly strong in the counsel of His Majesty's Government, whereas the representatives of the district with which he is himself connected were not. Then he went on to say that the constituency which the Prime Minister sat for would be seriously affected, which seemed to me rather to answer the first part of the statement. In any case, it is very far from being true, because the other districts which consider themselves to be prejudicially affected by this particular division are the counties of Yorkshire and the Midlands. It has never been supposed that the West Riding of Yorkshire, the coal district, is other than a district which supports His Majesty's Government, and therefore the charge made by the noble Lord cannot be said to have any foundation whatever; and I am bound to say that what occurred yesterday in another place confirms us in our opinion that, although we have admitted the objections in this course, it was the only one open to us. Yesterday in another place Mr. Balfour stated that he heartily agreed with the course chosen. He said that postponement for eighteen months was an impossible course to take, and he would support the Government in rejecting it.

LORD BALFOUR OF BURLEIGH: That point does not arise on the particular Amendment I have moved.

THE EARL OF CREWE: That is perfectly true, and I will deal with that point if the noble Lord desires in a moment. The January date received practically no support in another place and I do not know that it received much here. I understand that the effect of the noble Lord's Amendment to-day is to substitute "October" as the general date.

LORD BALFOUR OF BURLEIGH: I beg the noble Earl's pardon. I accept the position that we are obliged to agree to this preference, but I desire to shorten it. I do not propose to touch the general date. My proposal would have the effect of shortening the preference by three months.

THE EARL OF CREWE: I am very much obliged to the noble Lord for his explanation, because I had understood that he suggested October as a general date. That, of course, is a question which the noble Lord has a perfect right to argue; but, as I said before, it is not really reasonable to speak of this as a preference. It, no doubt, has the effect of giving a certain preference to those two counties, but that is not the object or the intention of His Majesty's Government. The question is whether the particular organisation of

Durham and Northumberland is such that it is impossible for them to start their new arrangements in less than a year. The Government have taken the view that it is reasonable for them to ask for this time, and if that is so, the splitting of the difference which the noble Lord suggests would not really meet the case, I am afraid, therefore, we must adhere to our proposal.

THE EARL OF CAMPERDOWN: My Lords, the noble Earl has just stated that it was not the intention of His Majesty's Government to give a preference, but he admits that what they have done has the effect of giving a preference. What matters is not the intention of His Majesty's Government, but the effect of the Bill which they pass. With regard to the particular date fixed for Durham and Northumberland, the noble Earl has told us that His Majesty's Government have been convinced that they cannot get their arrangements ready before 1st January; but during all the time this Bill has been in your Lordships' House I have never heard anything to show why other collieries can get their arrangements ready although Durham and Northumberland cannot. So far as Lord Newton went into this point, he rather intimated that Durham and Northumberland were more advantageously situated, if anything, than the other collieries. It would be satisfactory to us to know what are the reasons which have convinced His Majesty's Government that these other collieries can get their arrangements completed by 1st July.

THE EARL OF CREWE: I will endeavour to answer that question. The point is this, that in Durham and Northumberland the question is that of the reorganisation of the hours of the men. In Lancashire and South Wales the question is not so much the reorganisation of the hours of the men as the actual loss of time. In Durham and Northumberland all the shifts have to be changed. In Lancashire and South Wales in a great many cases there will not be an attempt to change the shifts but the actual hours of labour will be shortened. The grievance which the Lancashire and South Wales mineowners conceive themselves to have is that they lose a certain time of the day for getting and winding their coal, but, at any rate in a great many cases, they will not attempt entirely to reorganise their shifts; whereas in the counties of Durham and Northumberland, as far as I understand, practically every colliery will have to go through a complete system of reorganisation of work.

*THE MARQUESS OF LANSDOWNE: My Lords, I will not repeat the observations I offered to the House yesterday on this subject, nor will I follow the example of my noble friend Lord Balfour of Burleigh and endeavour to fathom the mysteries of the transaction which apparently led to the exceptional treatment of these two districts. There does appear to attach a certain amount of mystery to the arrangement in question. I do not think I should have risen at all had I not desired to correct what appears to be an inaccuracy in the published account of the observations that fell from me last night. In an otherwise excellent description of my short speech which appears in *The Times* of this morning, there is a report of my concluding words which conveys a rather different meaning from that which I intended to convey to the House. I said I drew a great distinction between the Amendment moved by Lord Avebury and the Amendment which was carried at the instance of Lord St. Aldwyn, and I pointed out that, whereas Lord St. Aldwyn's Amendment in no way interfered with the machinery set up by His Majesty's Government—the machinery which was to take effect from the moment when the Bill came into operation—on the other hand the Amendment of Lord Avebury, which altered the date at which the Bill came into operation and also did away with the preference given to Durham and Northumberland, did very seriously modify a plan which I imagined represented the mature conclusions of His Majesty's Government; and I said that, in those circumstances, without myself expressing any opinion upon the question of preference or upon the question of date, I would not take the responsibility of endeavouring to force any views which might occur to me upon His Majesty's Government. The part of my observations which referred to Lord Avebury's Amendment appear in the report which I mentioned just now as if the whole of what I said had reference to the Amendment of my noble friend Lord St. Aldwyn, and I, therefore, desire to make that correction. The noble Earl referred to what occurred last night in another place. I have referred to the account of those proceedings, and I gather that the Leader of the Opposition stated to the House that as His Majesty's Government had explained that in their view the least objectionable course was that the date of 1st July, 1909, should be accepted, and that the preference for Durham and Northumberland should be retained, and as His Majesty's Government were responsible for the Bill, he would support them rather than encourage attempts to alter their proposal fundamentally. I do not think the observations of my right hon. friend went beyond that, and they seem to me to be very much in accordance with what was said from these benches.

The Earl of CREWE: From the report which I saw, I understood Mr. Balfour to say that he did not think a year and a half's postponement to be reasonable, and that he for one could not support it.

Lord BALFOUR of BURLEIGH: My Amendment does not touch the year and a half postponement at all, and, if carried, would not interfere with the general coming into effect of the Bill on 1st July next year. I shall not divide the House, but I shall not withdraw the Amendment, as I am entirely unconvinced by the noble Earl's argument. I am not able to argue at length the question as to how far the district in which I am interested will really be put to a disadvantage. The whole thing has been sprung so suddenly upon us that there has been only time for communication by telegram and letter; but I am assured that the effect will be to put the East of Scotland to serious disadvantage during this time. That, I think, is grossly unfair, and I shall record my opinion by refusing to withdraw my Amendment. I cannot imagine anything thinner than the statement of the noble Earl—that the intention of the Government is one thing, and the result another. If you carry that into fiscal affairs, what does it matter what your intentions are if the effect is to protect one thing as against another?

The LORD CHANCELLOR: My Lords, I am the possessor of the only copy of the document which records what the House of Commons have done, I will state the Amendments to your Lordships. From Clause 7, subsection (2), this House omitted the words, in lines 11 and 12, "as respects mines in the counties of Northumberland and Durham." The House of Commons propose to restore those words. I now come to the second Amendment. This House, in page 6, Clause 7, line 13, struck out the word "January" and inserted "July." The House of Commons propose to restore the word "January." The third Commons' Amendment is to reinsert the words "and elsewhere on the first day of July, 1909." The first question to be put, therefore, will be, that this House doth not insist upon its Amendment omitting the words "as respects mines in the counties of Northumberland and Durham."

Earl BEAUCHAMP moved accordingly.

Moved, "That this House doth not insist upon its Amendment omitting the words 'as respects mines in the counties of Northumberland and Durham.'"—(*Earl Beauchamp.*)

On Question, Motion agreed to.

The LORD CHANCELLOR: We will now take the Amendment in page 6, clause 7, line 13.

Moved, "That this House doth not insist upon its Amendment to leave out the word 'January' and to insert the word 'July.'"—(*Earl Beauchamp.*)

Lord BALFOUR of BURLEIGH: I move that the Amendment be amended by the substitution of the word "October."

Amendment moved—

"That this House doth not insist upon its Amendment to insert the word 'July,' but inserts instead the word 'October.'"—(*Lord Balfour of Burleigh.*)

On Question, Amendment negatived.

On Question, Motion agreed to.

Moved, "That this House doth agree with the Commons in their Amendment to insert the words 'and elsewhere on the first day of July, 1909.'"—(*Earl Beauchamp.*)

On Question, Motion agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDER (No. 3) BILL.

House in Committee (according to Order).

Amendments made by the Select Committee agreed to.

Report of Amendments received; Standing Committee negatived.

Moved, "That the Bill be now read 3ª."—(*Lord Allendale.*)

*THE CHAIRMAN OF COMMITTEES (The Earl of ONSLOW): My Lords, before the Bill is read the third time perhaps you will bear with me for a moment while I explain what have been the circumstances attending this Bill. It is a very important measure designed to unite into one borough six of the large towns in the Potteries district. The Bill has been hotly contested before Committees of the House of Commons and of your Lordships' House, and the proceedings upon it in Committee of this House have been protracted literally to within the last few minutes. I am happy to say, however, that, owing to the very great tact displayed by the Chairman of your Lordships' Committee, Earl Cromer, the Bill was, in the end, assented to by all parties, and it now comes before the House practically in the form of an agreed Bill. I venture to think that a great work has been accomplished with much less friction than at one time might have been expected, and I thought that, under the circumstances, it would not be right to let a private Bill of this importance pass without one word of explanation.

THE EARL OF CREWE: My Lords, I am glad the noble Earl the Chairman of Committees has taken the opportunity of mentioning this extremely important measure. The accomplishment of this great work is a source of personal satisfaction to myself, as I happen to be a landowner in the neighbourhood, and I have taken great interest in this matter for some time past. What used to be known as the five towns, but are now six towns, are to be turned into one municipality. This was by no means an easy matter to have brought about, as all those connected with it are aware. I think great credit is due to the Local Government Board for the part they have taken in assisting this operation, and great credit is due also to those who locally initiated the scheme and who have worked hard to reduce the almost inevitable friction which arises in a matter of this kind, especially on the question of rating. It will, I know, be a source of keen satisfaction in Staffordshire that the measure has been brought to a satisfactory conclusion, and I desire to congratulate everybody concerned.

On Question, Bill read 3ª, and passed.

House adjourned at five minutes before One o'clock, to Monday next, Two o'clock.

HOUSE OF COMMONS.

Saturday, 19th December, 1908.

The House met at Twelve of the Clock.

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION (PROCEEDINGS).

Copy presented, of Return of Proceedings during the month of October, 1908 [by Command]; to lie upon the Table.

TRUCK ACTS (DEPARTMENTAL COMMITTEE).

Copy presented, of the Report of the Departmental Committee on the Truck Acts. Vol. I., Report. Vol. II., Minutes of Evidence (Days 1–37). Vol. III., Minutes of Evidence (Days 38–66) and Index [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Use of Circle Net in the Firth of Forth.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Secretary for Scotland whether he can make any statement with regard to the inquiry respecting the use of the circle net in the upper reaches of the Firth of Forth; and when he expects to be able to publish the result of the inquiry.

(*Answered by Mr. Sinclair.*) The inquiry has not yet been concluded, but when it is concluded no time will be lost in reporting to the Fishery Board.

Gillespie v. Riddell.

MR. AINSWORTH (Argyllshire): To ask the Secretary for Scotland whether he can now give any further information as to the steps the Government propose to take to deal with the position created by the decision of the House of Lords in the case of *Gillespie* v. *Riddell.*

(*Answered by Mr. Sinclair.*) The Government are fully alive to the necessity for dealing with this question, but I am at present unable to give my hon. friend anything more than this general assurance.

Scottish Minor Legal Appointments.

MR. SUTHERLAND (Elgin Burghs): To ask the Lord Advocate whether he can state when the Commission to deal with the question of minor legal appointments in Scotland is likely to be appointed.

(*Answered by Mr. Sinclair.*) It is not possible to name a date, but the appointment of a committee of inquiry, which is under consideration, will be announced as soon as practicable.

Assistant Inspectors of Postmen at Glasgow.

MR. BARNES (Glasgow, Blackfriars): To ask the Postmaster-General whether he is now in a position to say when the positions of assistant inspectors of postmen at Glasgow, which have been performed by temporary substitutes since January, 1908, and authorised as part of the permanent establishment by the revision of staff dated May last, will be filled up, in accordance with his undertaking of the 18th of June that these vacancies should be filled up as early as possible.

(*Answered by Mr. Sydney Buxton.*) Four of the posts referred to have been filled. I am not yet in a position to say when it will be possible to fill the remaining posts, as the re-arrangement of duties in connection with the revision has not been completed. I regret the delay that has occurred.

Depositors in Post Office Savings Bank and Trustee Savings Banks.

MR. BOTTOMLEY (Hackney, S.): To ask the Postmaster-General if he will consider the desirableness of publishing in the Post Office Guide a list of the trustee savings banks in which depositors in the Post Office Savings Bank are not allowed to have accounts.

(*Answered by Mr. Sydney Buxton.*) A depositor in the Post Office Savings Bank cannot legally open an account in his own interest in any trustee savings bank.

Post Office Writers' Association.

MR. BOTTOMLEY: To ask the Postmaster-General whether, having regard to the fact that the members of the Post Office Writers' Association belong to the general class of sorters, he is aware that this association consists not only of sorters but of officers of the overseers', sorters', and telegraphists' classes, whose transfer to the clerical establishment was recommended in paragraph 107 of the Report of the Select Committee on Post Office Servants; whether, when describing them as temporarily employed on writing duties, he was aware that many of these men have been so employed continously for periods varying from ten to twenty years; and whether he will explain in what circumstances he declines to put these men on the same footing as regards official recognition as postmen in London, seeing that he has already officially recognised two distinct organisations representing the latter body.

(*Answered by Mr. Sydney Buxton.*) I am aware of the constitution of the Post Office Writers' Association, and of the fact that many of the members have been employed on writing duties for considerable periods. The employment is, however, not permanent, and the officers may at any time be removed from the writing duties and be required to take up the ordinary duties of their class. There are considerable differences between this case and that of the London postmen. But, in so far as the latter is a precedent, it is not one which I should propose to follow in future.

Petitions of Devonport Dockyard Workmen.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the First Lord of the Admiralty if he can now state what reply is to be given to the petition of the workmen engaged in His Majesty's Dockyard at Devonport, asking that the order prohibiting them from leaving the dockyard during the interval allowed for the midday meal on Fridays should be withdrawn.

(*Answered by Mr. McKenna.*) The matter is still under the consideration of the Admiralty.

Registration of Newspapers—Postage Rates.

MR. BELLAIRS (Lynn Regis): To ask the Postmaster-General what is the registration fee for a newspaper which enables it to be transmitted for a halfpenny instead of at book-post rates; how much revenue is obtained per annum from these registration fees; and whether he has any figures showing what is the heaviest newspaper that has been carried for a halfpenny, and what charge would have been made at the book-post rate.

(*Answered by Mr. Sydney Buxton.*) The fee for the registration of a newspaper for transmission by the inland newspaper post is 5s. a year; and the amount of revenue derived from this source during the year ended 31st March, 1908, was £724. The heaviest newspaper recorded as having been carried for a halfpenny weighed just over 3 lb. 6 oz. The ordinary postage on this publication would have been 1s. 2d. by letter post, or 6d. by parcel post. My hon. friend is no doubt aware that the rate for newspapers is fixed by statute, and is not one over which the Postmaster-General has any control.

Downpatrick Postage Arrangements.

MR. J. MACVEAGH (Down, S.): To ask the Postmaster-General whether he has received further representations as to the necessity for improving the postal arrangements at Downpatrick, County Down; and whether he can arrange to substitute a delivery at, say, three o'clock for one of the morning deliveries.

(*Answered by Mr. Sydney Buxton.*) I have received further representations on the question from the town commissioners, and am prepared to meet their wishes by substituting a delivery at 3 p.m. for the delivery now effected at 9.40 a.m.

School Teachers and Temporary Post Office Work at Christmas.

MR. HUDSON (Newcastle-on-Tyne): To ask the Postmaster-General if he can state the number of school teachers who have applied to the Postmaster of Newcastle-on-Tyne for temporary work during the Christmas holiday recess; how many have been accepted for such work; what offers, if any, have been made to the genuine unemployed workpeople; and how many of them have been given work during the busy season in connection with the postal work in the city.

(*Answered by Mr. Sydney Buxton.*) I am making inquiry into the matter.

Appointments to Central Telegraph Office and London Postal Service.

MR. SEAVERNS (Lambeth, Brixton): To ask the Postmaster-General if he will give particulars of the number of appointments made to the establishments of the Central Telegraph Office and the London Postal Service, respectively, as the result of the open competitive examinations held in 1906, 1907, and 1908, respectively, distinguishing in every case between male and female learners.

(*Answered by Mr. Sydney Buxton.*) The numbers are as follows—

Year.	Male Learners.		Female Learners.	
	Central Telegraph Office.	London Postal Service.	Central Telegraph Office.	London Postal Service.
1906	20	4	26	17
1907	12	11	47	50
1908	40	Nil	102*	21*

* Exclusive of an aggregate of seventy-five appointments expected to be made from the competition of October last.

The female vacancies bear a larger proportion to the total staff than the male vacancies because the average service of women before retirement is shorter.

New Battleships—Great Britain, Germany and United States.

MR. BELLAIRS: To ask the First Lord of the Admiralty whether he can give the total number of battleships built, building, and projected under the programmes for the year 1908 for Great Britain, Germany, and the United States, stating also the total for the two latter Powers under the headings of vessels less than eighteen years old from date of laying down, vessels less than thirteen years old, and vessels less than eight years old on 31st December, 1908.

(*Answered by Mr. McKenna.*)

Total number of Battleships

	Built.	Building.	Projected under programme of 1908.
Great Britain - -	54	6	1
Germany - - -	36	4	3
United States - -	26	4	2

Battleships less than 18 years old on 31/12/08 (from date of laying down	Germany -	24
	United States	25
,, ,, 13 ,, ,,	Germany -	19
	United States	21
,, ,, 8 ,, ,,	Germany -	10
	United States	13

Discharges of Joiners at Sheerness Dockyard.

MR. LAURENCE HARDY (Kent, Ashford): To ask the First Lord of the Admiralty if he will state upon what principle experienced joiners are being discharged at Sheerness Dockyard under Vote 10 whilst other joiners not previously working for the dockyard have been engaged under Vote 8 for five months till 31st March 1908; whether he can see his way to give the preference to workmen with excellent characters in allotting this temporary work; and whether he can state the reason why out of eleven men under notice to leave only two carpenters and joiners were actually discharged.

(*Answered by Mr. McKenna.*) Only joiners of experience who had previously served in the Yard under the Controller's Department, and been discharged on reduction, have been entered. No entries of joiners have been made subsequent to discharge from the Works Department. Preference has been given to workmen with excellent characters. Only two carpenters were given notice and these were discharged. Further anticipated discharges were avoided by approval of additional work.

Rosyth Water Supply.

MAJOR ANSTRUTHER-GRAY: To ask the First Lord of the Admiralty whether the arrangements for the water supply at Rosyth are now satisfactory.

(*Answered by Mr. McKenna.*) The work which is being carried out by the local authority is not yet completed, but the Admiralty have every reason to believe that it will prove quite satisfactory.

Unemployed Loan to Burnham-on-Crouch.

MR. WHITEHEAD (Essex, S.E.): To ask the President of the Local Government Board whether he is now prepared to grant the application of the urban district council of Burnham-on-Crouch for sanction for a loan of £550, with a view to carrying out a public improvement and affording work for the unemployed.

(*Answered by Mr. John Burns.*) The Central (Unemployed) Body for London have applied to me for a payment in aid of this work out of the Parliamentary grant. Having regard to all the circumstances I am disposed to consider the application favourably; but, before I can arrive at a final decision with regard to it and to the borrowing of money by the urban district council in respect of the works proposed, it is necessary that an inspector should visit the locality. This will be done at once.

Distress Committee for Grays Thurrock.

MR. WHITEHEAD: To ask the President of the Local Government Board, whether he is now prepared to grant the application of the Grays Thurrock Urban District Council for sanction for the formation of a distress committee.

(*Answered by Mr. John Burns.*) The Answer is in the affirmative.

Luton and Dunstable Sewage Scheme.

MR. P. BARLOW (Bedford): To ask the President of the Local Government Board whether he is aware that the rural district council of Luton, in Bedfordshire, entered into a contract with the borough council of Dunstable, involving a sewage scheme for the adjoining parish of Houghton Regis; that such contract was entered into without notice having been given to the Houghton Regis parish council, contrary to Section 16, subsection (3) of the Local Government Act, 1904; that a Local Government Board inquiry was held at Houghton Regis in September last, when a protest was lodged against such inquiry taking place until the scheme had been put before the parish council and the parish; and that, as a result, the parish council, in protest, retired from the inquiry; and whether it is the intention of the Local Government Board to ignore the parish council's rights under the 1904 Act, and allow the scheme to proceed before the law has been complied with and the parish council has considered the scheme.

(*Answered by Mr. John Burns.*) I am not aware that the rural district council of Luton have entered into any contract for the execution of works of sewerage for the parish of Houghton Regis, of which under Section 16 (3) of the Local Government Act, 1894, prior notice is required to be given to the parish council. At the inquiry referred to it was stated by the clerk to the rural district council that notice to the parish council should be given at once, and, before giving my decision on the application, I will inquire whether notice to the parish council has been given as promised.

Illicit Trawling off the Fifeshire Coast.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary for Scotland whether he will take special steps to prevent illicit trawling within the three-mile limit off the coast of Fife during the months when the fishing operations are most active.

(*Answered by Mr. Sinclair.*) The Fishery Board are taking all steps that are possible with the means at their disposal to prevent encroachments on the closed waters by trawlers off the Fifeshire coast.

Cattle-Driving in Ireland.

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the total number of cases of cattle-driving reported to the Inspector-General to 12th December, 1908, the number of distinct cases in which proceedings were instituted, and the number of persons proceeded against, distinguishing under the last-mentioned head between the different results of proceedings before magistrates and before juries, respectively.

(*Answered by Mr. Birrell.*) The Inspector-General of the Royal Irish Constabulary informs me that the total number of cattle-drives up to the date mentioned, was 1,051. Proceedings were taken in 162 distinct cases against 1,582 persons. Of these 1,434 were proceeded against before magistrates, by whom 1,181 were ordered to find bail and 109 were discharged. In the case of 76 persons informations were refused, in the cases of 39 the charge was dropped, and 29 cases are still pending. The remaining 148 persons were proceeded against before juries, when 17 were convicted, and 27 were acquitted. In the cases of 102 defendants the jury disagreed, and in the cases of two others a *nolle prosequi* was entered.

West Riding Education Authority and Mortomley Roman Catholic School.

LORD EDMUND TALBOT (Sussex, Chichester): To ask the President of the Board of Education what are the statements denied by the local education authority of the West Riding as to the allegations made by the managers of the Mortomley Roman Catholic school.

(*Answered by Mr. Runciman.*) The Board are making inquiry into this matter. I will ask the noble Lord to permit me to communicate with him when the Board are in full possession of the facts.

Status of School Attendance Officers.

MR. A. ALLEN (Christchurch): To ask the President of the Board of Education whether his attention has been called to the views put forward to his predecessor by a deputation of school attendance officers, who urged that school attendance officers should be given a *status* directly responsible to the Board of Education; and whether he can state what action, if any, the Board proposes to take in the matter.

(*Answered by Mr. Runciman.*) The Board have not overlooked the questions which were raised by a deputation of attendance officers to the Board on 25th July last; but, as was stated to the deputation by my predecessor, they are not able to hold out any hopes of legislation with a view to making attendance officers departmental servants of the Board of Education.

Labourers' Cottages—Case of Hugh M'Cahery.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state why Hugh M'Cahery's application for a cottage at the last labourers' inquiry in Enniskillen (No. 2) Rural District was refused; who is in possession of the lands on which the applicant desired to have the cottage built, and who was in possession at the date of the inquiry; were cottages granted to unmarried men; and, seeing that M'Cahery is a married man with a wife and family, will his case be further considered.

(*Answered by Mr. Birrell.*) The cottage in question was disallowed by the Local Government Board inspector because the taking of the site selected would have interfered with the amenities of the grounds surrounding the residence of the occupier. The occupier of the lands proposed to be taken at the date of the inquiry was Emma Bracken. The Local Government Board cannot say who is now in possession. Cottages in other portions of the district have been proposed and allowed for unmarried men who have other persons depending on them. There is no power to review the inspector's decision in the matter.

Purchase Price of Farm of Mr. John Beirne, of Tonlagee.

MR. CHARLES CRAIG (Antrim, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. John Beirne, having had his cattle driven more than once from his grazing farm at Tonlagee, near Ballinasloe, and after the Estates Commissioners had, on 15th November, 1907, informed him that upon inspection they estimated the price of the farm at £3,090, exclusive of bonus, intimated his readiness to sell; that six months afterwards he was informed that the above-mentioned price was inclusive and not exclusive of the bonus, thereby reducing the price by £370, that on 23rd October, 1908 the Estates Commissioners informed him they were only prepared to give him £2,759 for the farm, or a sum of £700 less than the original sum at which they valued the farm; and whether, in view of the prevailing circumstances of the locality, the payment of the sum originally proposed will be made to Mr. Beirne.

(*Answered by Mr. Birrell.*) I have already answered this Question on the 16th instant. I have nothing to add to the reply which I then gave.

QUESTIONS IN THE HOUSE.

Swansea Schools and Education Grants.

LORD R. CECIL (Marylebone, E.) said he desired to ask the Secretary to the Board of Education a Question of which he had given him private notice, namely, whether, as a result of the inquiry into the case of the Swansea Schools, Mr. J. A. Hamilton reported that the Swansea Local Education Authority had made default in the programme of their duties by failing to keep efficient the Oxford Street Schools, whether the Government had nevertheless decided that the local education authority had committed no default, and if so, on what grounds.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF EDUCATION (Mr. TREVELYAN, Yorkshire, W.R., Elland): I have nothing to add to what is contained in the official papers published in the newspapers this morning, and which have been deposited in the local authority's office. This is the fullest possible information I can give in answer to the Question of the noble Lord.

*LORD R. CECIL: May I ask whether it is a fact that in 1906 the Board of Education themselves decided that the action of the local education authority was gravely imperilling the efficiency of the school; whether at the inquiry at Swansea the local education authority gave no evidence whatever; whether the Commissioner reported that but for the sums provided by the managers in his opinion the school would before now have ceased to be efficient in any sense; whether, as it was, though it continued in a state of efficiency by earning the grant, its efficiency was, owing to the course taken by the Authority, precarious; whether it seemed to him that the way in which the Authority's policy caused dissatisfaction among the staff jeopardised the continuance of successful teaching to an extent which reduced the efficiency of the Oxford Street School to an uncertain temporary efficiency only ascertainable *ex post facto*; whether this had led to the departure of experienced teachers and to dissatisfaction and unrest among those who remained; whether, in spite of that the Board of Education had overruled that decision, and on what ground of fact the Board of Education acted in so overruling that decision, and whether the House was to understand that it was the policy of the Board of Education that teachers in voluntary schools were to be paid at a lower rate than teachers in provided schools.

MR. TREVELYAN: It is not a question of policy. The sole question which the Board of Education have to decide is whether the school is inefficient, and we have, after duly considering the matter and taking legal advice, come to the conclusion that the school is not inefficient. Therefore, we do not feel ourselves bound to act.

*LORD R. CECIL: It is not a question whether the school is inefficient. It is a question whether the local education authority has kept the school efficient.

MR. TREVELYAN: I cannot discuss the whole question, which is in the main a legal question. We have satisfied ourselves after taking legal advice that this is the course which we are compelled to adopt.

LORD R. CECIL: I desire to say that I shall, at the earliest opportunity the Rules of the House will permit, raise this question for the consideration of the House.

BUSINESS OF THE HOUSE (PROVISIONAL ORDER BILLS).

Motion made, and Question proposed, "That, as regards Provisional Order Bills returned by the House of Lords this day, with Amendments, such Amendments may be considered after the Government Orders of the Day."—(*Mr. J. A. Pease.*)

LORD R. CECIL said he desired to move as an Amendment to add at the end the words "and that this House do not adjourn this day without Question put."

*MR. SPEAKER: That is not in order. It is not a competent Amendment. It refers to a wholly different matter.

LORD R. CECIL said that but for the Motion now before the House the Government would be bound by the provisions of the Resolution which was passed at the end of July, namely, that the House should adjourn at the end of the Government Orders without Question put. The Motion which had just been proposed would enable the House to sit beyond that time, and he submitted that it was in order to add to the Motion that the House should not adjourn without Question put. Perhaps he might be allowed to say that in July the Government themselves gave an undertaking that they would move, "That the House do now adjourn," before the last Order of the Government if any hon. Member of the House desired to raise any question affecting the policy of the Government. Of course, if this Motion were carried, it would be impossible for the Government to do that because of their desire to keep the House sitting to consider the Provisional Order Bills. He, therefore, submitted that, in view of the pledge which was part of the condition on which the House assented to the Resolution passed in July last, his Amendment was germane to this particular Motion.

*MR. SPEAKER: The House, after due notice and consideration, came to a certain resolution as to how the business was to be concluded, and now without any notice the noble Lord would seek to repeal that resolution so solemnly arrived at. The object of this Motion is to enable Provisional Order Bills, which are of the nature of private business, to be taken after public business, instead of before. In consequence of some delay in the House of Lords the Bills have not yet reached this House.

LORD R. CECIL asked whether the Government would move "That the House do now adjourn" before the conclusion of the Government Orders of the Day so as to enable him to raise the question which he desired to raise, and which he thought it was of real importance to the Government and the country to discuss.

MR. J. A. PEASE (Essex, Saffron Walden) said that in the absence of his right hon. friend the Leader of the House he was not able to assent to the proposal of the noble Lord. He would, however, endeavour to ascertain the view of the Prime Minister on the subject. He might say that he only received notice a few minutes ago of the question which the noble Lord desired to raise.

LORD R. CECIL explained that the short notice was not due to any discourtesy on his part towards the hon. Gentleman, whose courtesy they were glad to acknowledge in all matters. He only received intimation of the facts himself that morning and it was for that reason he had not been able to give longer notice.

Question put, and agreed to.

Ordered accordingly.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [LORDS].

Order for Second Reading read.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, S.) in moving the Second Reading explained that the Bill was simply one for the purpose of consolidating the Scottish law affecting agricultural holdings. It only came down last night from another place where it had been carefully considered. If the House gave the Bill a Second Reading now it would be necessary for him, in view of the period of the session which they had reached, to ask that it should at once be passed through its subsequent stages. It was a matter of extreme urgency that the law affecting Scottish farmers should be put in the consolidated form of the Bill. The Scottish Chamber of Agriculture in 1907 and again in 1908 had passed resolutions in favour of this measure becoming law at the earliest possible moment. The Scottish Chamber of Agriculture represented seventy-six societies with a total membership of over 18,000, so that it might really be regarded as a body representing a very large number of agriculturists. He hoped the House would give the Bill a Second Reading and allow the subsequent stages to be taken without delay.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Edward Strachey.*)

Question put, and agreed to.

Bill read a second time.

Resolved, "That this House do immediately resolve itself into Committee on the Bill."—(*Sir Edward Strachey.*)

The House then resolved itself into Committee to consider the Bill.

Bill accordingly considered in Committee, and reported, without Amendment.

MR. W. THORNE (West Ham, S.): Why cannot the Government run the Unemployed Bill of the Labour Party through the House in the same way?

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Mr. J. A. Pease.*)

Mr. HAROLD COX (Preston) protested against the scandal of rushing a Bill of this magnitude through the House in this way. Surely the House did not always abandon its functions with regard to legislation to another place.

Mr. BOWLES (Lambeth, Norwood) said that it appeared to him that the scene they had just witnessed was one of significance and importance. The Bill was entirely an invention of another place; it had not been seen in this House before. It had just come down from another place, and what had happened? Without a moment's consideration, or attempt at consideration, the House had accepted the Bill as it stood. That showed their blind and implicit though well-founded trust in the wisdom of another place, and in that respect it appeared to him that their action was entirely creditable.

Sir HENRY CRAIK (Glasgow and Aberdeen Universities) said there was one point about the Bill to which he wished to call attention. The hon. Gentleman who moved the Second Reading adduced in its favour the sole authority of the Scottish Chamber of Agriculture. It struck him that that was rather curious, because hitherto the Government had decried the authority of the Scottish Chamber of Agriculture. The action of the Government would be remembered if on any future occasion the authority of the Scottish Chamber of Agriculture was called in question from the Treasury bench.

Mr. J. A. PEASE said he ought to state that at any rate certain Members of the House on both sides had taken every precaution to satisfy themselves that this was purely a Consolidation Bill. It did not in any way alter the law. It was presented in the first place by the President of the Board of Agriculture in another place, and he had been in communication with officials representing the other side of the House. They had all agreed that it was a desirable Bill to pass into law; and that it should not be lost through failing to be put through all its stages in one day.

Lord BALCARRES (Lancashire, Chorley) wished to assent to what his hon. friend had just said. He was interested and amused at the blind acceptance of the Bill from the House of Lords, because he knew that the Bill before it passed through its stages required to be amended in fifteen different particulars by that Assembly.

Mr. MORTON (Sutherland) was glad that they had had some explanation with regard to the Bill, because it had only been circulated that morning; and because, on many occasions, various Governments in passing Consolidation Bills had smuggled into them alterations of the law. He would not have been inclined to vote for this hasty and haphazard procedure, but for the fact that Scotland had been treated so badly by Parliament during this session, that the Scottish Members were glad to get anything at all at any price.

Question put, and agreed to.

Bill read the third time, and passed, without Amendment.

MESSAGE FROM THE LORDS.

That they have agreed to—Public Meeting Bill, with an Amendment.

That they do not insist on their Amendments to the Port of London Bill, to which the Commons have disagreed.

That they have agreed to—Local Government Provisional Order (No. 3) Bill, with Amendments.

PUBLIC MEETING BILL.

Motion made, and Question proposed, 'That the Lords Amendment be now considered."—(*Lord Robert Cecil.*)

Mr. MORTON moved that the Lords Amendments be considered this day three months, as the House had not sufficient time left properly to consider the matter.

Mr. C. DUNCAN (Barrow-in-Furness) seconded the Amendment.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Morton.*)

Question proposed, "That the word 'now' stand part of the Question."

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) expressed the hope that the hon. Member would not insist on the Amendment. The Bill as it now stood practically said that if a person disturbed a public meeting or incited any other person to do so for the purpose of preventing the transaction of business for which the meeting had been called he should be guilty of a punishable offence and that in the case of a Parliamentary election, between the issue of the writ and the return of the writ, the same should be deemed an illegal practice. The alterations made in another place were not alterations in substance and the House having agreed to the Bill it would be a very great pity if it did not become law.

*MR. C. B. HARMSWORTH (Worcestershire, Droitwich) drew attention to the fact that the Bill had never been discussed in the House or in any way considered. Two stages of the Bill were passed in a very small portion of an afternoon. He was convinced that if hon. Members had the Bill in their hands they would readily support the Motion of his hon. friend. The Bill caused the gravest infringement of the right of public meeting in this country and arose out of a recent meeting at the Albert Hall. In Scotland a very favourite practice at public meetings was heckling and the Bill constituted that practice, if indulged in, an offence. He hoped his hon. friend would persist in his Motion.

MR. JOHN WARD (Stoke-on-Trent) thought there were two sides to the question. The hon. Gentleman who spoke last thought it would be a grave infringement of the rights of public meeting if the Bill were passed, but if there was no way to prevent people, sent to break up a meeting, from doing so, it was an absolute infringement of the rights of public meeting. People, whatever their views might be, were entitled to call a meeting and expound those views; that was the only way in which free expression of opinion could be obtained for minorities. It was true that this had not been thought of before, but it was only recently that deliberate attempts had been made to break up public meetings. [A voice: "What about the Boer War?"] Unquestionably the same remarks applied to that, and he agreed that wherever there were organised attempts deliberately to break up meetings there should be some means of preventing it. For that reason he gave his most unqualified support to the Bill. He read it before it was in print, and had come to the conclusion it was the only way by which they could secure the liberty of the subject and the chance of expressing views which happened to be hostile to those entertained by either the majority or the minority of the audience.

*MR. WEDGWOOD (Newcastle-under-Lyme) said he felt himself to be in a somewhat difficult position, because originally he informed the noble Lord the Member for East Marylebone that he was in favour of the Bill. But having examined it more carefully he confessed he was shocked at it. He had looked on the noble Lord as the champion of individual liberty, but in his view the Bill was the worst blow at the right of expressing individual political opinion that had been delivered for a long time. Who were to be the judges whether a person heckling a public speaker was trying to break up a public meeting or not? It was to be the task of the bench of magistrates, and he certainly did not think that was a proper body to decide whether or not a heckler was asking a reasonable question or trying to break up a meeting. If the Bill were passed it would aim the heaviest possible blow at Socialism making itself heard. Who were the people whom this Bill would most seriously hit? Those who were enthusiastic and keen on certain lines of politics which did not command universal public approval. These people had to persuade other people, and their only chance of getting at them was to speak at other people's meetings. They could not get those whom they desired to convert to attend the meetings they themselves arranged, and they must therefore seize the opportunity of other people's meetings to make themselves heard. If the Bill were carried it would upset traditions which had obtained for 500 years, and he therefore hoped that even at this eleventh hour it would be successfully opposed.

*MR. VIVIAN (Birkenhead) could not understand how any hon. Member could in the name of freedom demand that a minority or even a majority should have the right to break up a meeting in a room paid for by the promoters of the gathering in order to meet and discuss given matters with their friends. He supported the Bill heartily, and mainly because he had never been able to understand why he should be prevented speaking his mind upon a particular subject at a meeting specially called to enable him to do so. Why, a man might just as well walk into a printer's establishment and smash up the type whereby it was intended in book or pamphlet to express certain views which were not approved. The right of free speech should be as sacred as the right of a free Press, and he supported the Bill in the name of the right of free speech. He did not think the measure as framed would injure either minorities or majorities. It would, on the contrary, protect both, but he appealed to hon. Members to support it above all in the interests of minorities who by reason of their number were unable by physical force to keep down an opposition. He was not opposed to heckling; as a speaker he rather revelled in it, but he did protest against a group of bullies—often hired by people on the other side—attending meetings with the sole view of preventing the speakers being heard.

MR. W. THORNE said he was rather surprised at the attitude taken up by Members on both sides who, he was sure, if they had read the Bill would never have voted for it. No man in that House had been through the mill more than he had in regard to political meetings. On one occasion at Camborne he got an awful bashing, yet he was not prepared to vote for a Bill which would prevent anyone making interjections at such gatherings. It was for those who organised the meetings to make proper provision against those who would try to prevent the speakers being heard. It was the duty of the stewards to find out the interrupters, and there was an end of it. It had been successfully accomplished on more than one occasion. The most important part of the Bill was undoubtedly the second portion, and hon. Members would do well to consider what it involved. During a Parliamentary election a candidate's friends might at a meeting of his opponent utter a few interjections and the candidate would be held liable for their conduct and would be penalised in consequence. There never had been, so far as he remembered, such a Bill rushed through the House, and if the hon. Member for Sutherland would press his objection to a division he would tell with him.

MR. PICKERSGILL (Bethnal Green, S.W.) supported the protest of the last speaker, agreeing with him that the second part of the Bill was the most vital. He had no objection to the first subsection, but the second certainly required more consideration than it had yet received. There were already sufficient pitfalls for a man who desired that an election should be conducted in a proper manner, and this would make a very serious addition to them by constituting interruptions at the meeting of an opponent an illegal practice in a Parliamentary contest. He should vote against the Bill.

MR. HEMMERDE (Denbighshire, E.) strongly supported the Bill, and with regard to the second subsection—as to which extraordinary legal opinions had just been expressed—he pointed out that there was no single illegal practice from which the election Judges could not relieve a candidate. They might rely upon it that both magistrates and Judges of the High Court would place a reasonable construction on acts such as this. As a matter of fact, it was the duty of candidates to see that they did not have with them people who would be capable of breaking up the meetings of their opponents. He could not understand any member of the Liberal party standing up for either a man or a woman who would deliberately go to a public meeting and make it impossible for anyone to air his grievance or opinions, and if a meeting were arranged in order that a Cabinet Minister might speak it was absolutely intolerable that a small body of persons should prevent his being heard. Why, in the name of freedom, should they put up with that? Minorities ought not to be allowed to adopt disorderly tactics in order to force their views on a reluctant majority. It was intolerable that those responsible for forming the public opinion of the country should be tracked all over the place by foolish men and women and interrupted on every possible occasion. It absolutely destroyed freedom of discussion, and he ventured to suggest that those who were afraid of the Bill were those who did not believe in free discussion. There was more interruption of public meetings by women and Socialists than by any other class of the community, and his personal experience had frequently been that meetings were attended by persons sent with questions already prepared and written with instructions to ask them in season and out of season. "Disorderly conduct" had been discussed times out of number. Were they so timid that they could not allow this matter to be decided by the magistrates and the Judges? It was the duty of candidates to keep their followers in order, and if those of his followers who were colourably his agents, in the exuberance of their spirits caused the opposing candidate to suffer, then if such an occurrence formed part of a petition the Judges of the High Court would be perfectly well able to deal with it. Freedom of meeting was the important question they had to consider, and he therefore supported the Bill with the greatest possible pleasure. He gave the noble Lord hearty thanks for having brought forward this measure in order to give them a chance of clearing public meetings and public discussions of what was rapidly becoming an intolerable nuisance.

MR. MADDISON (Burnley), while agreeing that they owed a debt of gratitude to the noble Lord the Member for Marylebone, said he hardly liked Bills of this kind being rushed through so quickly as this one had been. Nevertheless, he thought that now they were face to face with the measure its provisions were such that it would in a fair way protect free speech and right of meeting. In listening to the hon. Member for South West Ham he thought he was speaking rather of a bull fight than of a public meeting, because the picture he drew did not appear to have anything to do with an ordinary public meeting. The Bill, as far as he could see, made it plain that there must be a deliberate purpose to prevent the public meeting from conducting its business. Throughout this short discussion there had not been a single statement to show who would suffer by reason of the Bill becoming law. Who was the sort of person who would suffer by the enactment of this measure?

MR. CROOKS (Woolwich): My experience has been that it was the Liberals who broke up my meetings.

MR. MADDISON said that only proved the necessity for the Bill. The sort of persons who would suffer were those who, before a speaker rose, deliberately told the chairman they did not wish to hear that speaker. He himself had experienced a case of that kind at Bristol, where it was said: "We will listen to anyone else you put up, but we will not hear Maddison." Did his hon. friends opposite think that such action should go unpunished by the law? He admired the Labour candidates for the simplicity of their electioneering methods; he was proud to pay them that tribute, and to say that they spent very little money on their contests; but why they should be afraid of this measure he could not understand. No Labour Member need fear a Bill like this. The hon. and learned Member for Denbighshire had set at rest their doubts as to how far a candidate might be affected by this legislation, but he was none the less prepared to take the risk that might lie in that direction, because he held that if a candidate knew that certain things were going on at the meetings of his opponents and he allowed his followers to continue them, then such a candidate deserved more punishment than he got. He supported the Bill with great heartiness, because it would restore the right of public meeting which had been largely lost.

Lord R. CECIL, in regard to the observation about rushing the Bill, said he had endeavoured to make the Bill known to every Member of the House. He had adopted the rather unusual course of making public its terms before it was circulated in the House, and he had done his best to let everybody know its provisions. Of course if hon. Members had come down to the House to object to the Second Reading that would have been a different matter altogether. But no objection had been taken to either the Second or the Third Reading, and he thought that there was no ground for saying that it had been rushed through the House without the consideration of hon. Members. The point of the Bill was this. They all knew that difficulties arose at public meetings, sometimes very serious. They had all been present at public gatherings where a small knot of men or women had combined to shout, scream, and sing without any reference to the business of the meeting at all, but merely for the purpose of preventing that business from being transacted. He was quite sure that they all thought that ought to be stopped. If the small knot of people were not stopped it meant the denial of free speech, or if the other members of the meeting endeavoured to stop the interrupters it meant a free fight. Lynch law or the denial of free speech was the alternative with which they were confronted. That was a very serious grievance which he was sure every hon. Member desired to see remedied. He had drafted the Bill as carefully as he could, and the Law Officers were good enough to agree with him that it was efficiently drafted for the purpose of confining the measure, as nearly as they could by the English language, to that case and that case only. There would have to be proved, first of all, disorderly conduct, and secondly, a quite distinct thing, that such disorderly conduct was intended for the purpose of preventing the meeting from transacting its business. Unless they proved that it was for that purpose then there was no offence committed under the Bill. The only possible criticism was that the definition was so narrow that the evil might not be altogether stopped by the terms of the Bill. He hoped that hon. Members in considering the measure would see that it was framed from the point of view he had explained. He would be the very last person in the House to propose anything that would be an infringement of personal liberty, but he was quite convinced that the Bill was for its maintenance and not for its infringement.

As to the election point, that had been dealt with by the hon. Member for Denbighshire in a perfectly admirable manner. He thought that there was not the least prospect under the second subsection of the Bill that any injustice would be done If there should be a candidate—he did not think there would be—who allowed his followers to break up the meetings of his opponent, then it ought to be considered an illegal practice at least as serious as many an illegal practice put into the Act of Parliament.

MR. CROOKS thought the House was indebted to the hon. Member who had proposed the adjournment of the discussion until they had some idea of what was in the minds of hon. Members. He felt some alarm about the Bill. To him interjections appeared to be the salt of public meetings. Did the Law Officers for the Crown say that an interjection was a disturbance ?

SIR S. EVANS : The word "disturbance" does not occur in the Bill at all.

MR. CROOKS said that anything might be construed into a conspiracy to do something. His experience of public meetings was nearly equal to anybody's in the country. He had been assaulted, carried away, and had his meetings broken up. He did not suppose anyone organised mobs for the purpose of breaking up meetings. Suppose he himself held a meeting in one corner of Beresford Square and another person held a meeting in the opposite corner, would he be held responsible if the crowd around him went across the square to "boo" the crowd at the other meeting ? The President of the Local Government Board had had as much to do with public meetings and had been as much subjected to disturbance and interruption as any of them. He well remembered at one meeting how it was shouted : "Let us throw him in the Thames." The right hon. Gentleman simply jumped up and said : "No ; I am responsible for the purity of the river." But under this Bill he could not have got that off. On another occasion he recollected a brilliant oration of the right hon. Gentleman on "Bastard Imperialism," and in the midst of it he was interrupted by being asked whether he had declared in the County Council that Lachmere allotments were only fit to grow consumptive cabbages on. There was an uproar. Would similar circumstances lead to a prosecution under this Bill ? [Cries of "No."] He was anxious that public meetings should be conducted with all the joy of public meetings but without the row. If the noble Lord was addressing a public meeting and the word "rot" was interjected, could that word be used without the person who uttered it being charged ? In discussions in that House he had himself jerked off words which were on his tongue, but could it be pretended that to do so would be an offence in a public meeting ? Perhaps the learned Solicitor-General would satisfy him on those points. ["No."] The hon. and learned Gentleman would try, and perhaps he would be as successful as the hon. Member in explaining things. He wanted to know whether they would be allowed to make a casual interjection at a public meeting as they went along, without any wilful desire to smash up the meeting. If that was so, then he did not mind the Bill a bit. But he wanted to be clear on that point. If they could not do so, then he doubted whether a political fight would be worth anything at all.

Sir S. EVANS: I can answer the questions of the hon. Member in the affirmative on both points.

Mr. W. THORNE: Is it possible for a man to take out a summons under this Bill, and do you mean to say that a magistrate would grant a summons?

Sir S. EVANS said before anybody could be touched under this Bill it must be shown that he had been guilty of disorderly conduct at a public meeting for the purpose of preventing the transaction of the business for which that meeting was called. The Bill really did not touch any of the cases which had been put by the the hon. Member for Woolwich. It would not prevent any interjection or heckling or anything of that kind which tended to the enlivenment of a meeting.

***Mr. BYLES** (Salford, N.) said he was very glad the Bill had had an opportunity at last of being debated and that they had the opinion of Members on both sides about it. If it was only to elicit from the Solicitor-General the explanation which he had just given and which he thought ought to disarm the opposition which had been so vigorously expressed, he thought the House was to be congratulated on the opportunity for debate. He felt rather in the position of one who had to defend himself against his friends, but really there was no great difference between them except as to whether the method and the language of the Bill were adequate to do that which they all, he thought, wanted to do. Members on both sides of the House had expressed the view which they all held that free speech and free opinion freely expressed, either in the Press or on the platform, was the most priceless liberty that we English people enjoyed. It was to protect that, and with no other object whatever, that he had agreed to associate himself with the noble Lord opposite, who had paid him the compliment of inviting him to put his name on the back of the Bill. He did so with great readiness because he had found all through this Parliament, that the noble Lord himself, although belonging to a party to which he (Mr. Byles) was generally strongly in opposition, had proved himself a stouter defender of liberty than some of his hon. friends on that side of the House. The language of the Bill really did not in the least justify what some objectors had feared. Many speakers had seemed to suppose that any disorderly conduct at a meeting would subject a man to prosecution, but that was not so. It was not only disorderly conduct but disorderly conduct for the express purpose of preventing the transaction of business. If anybody went deliberately to break up a meeting he ought to be subject to law, and his hon. friends were championing the rights of those blackguards who came on purpose to prevent the object of the meeting being carried out, and who were the only people who were attacked in the Bill.

Mr. ROWLANDS (Kent, Dartford) asked the Solicitor-General to give them his views with regard to subsection (2). That was the particular portion of the Bill to which he had the strongest objection, and with all due respect to the hon. Member for Denbigh, who, he knew, had great experience of electioneering, he thought his electioneering experience went back further than the hon. Member's. While he might not be a lawyer he had had to consider from time to time questions of agency and how agency could be proved, and anybody who had wide experience knew how risky was the definition of agency. It did not mean at all that the chief agent appointed by the candidate should go and deliberately break up a meeting, but there was such a thing as members of a committee or other people who might be indirectly brought into the question of agency, and he still thought there was very great danger indeed in the subsection. Even if agency was not proved, the poor candidate might have to stand all the racket of a petition, which was not an easy thing for him to stand, because there was a colourable assertion of agency on the part of the person who was charged with having broken up the meeting. That candidate was at once penalised under the existing law and was liable to an enormous expense which he or his friends might not be able to meet. He, therefore, thought under these conditions they had a right to some modification of the law, and he was sorry it was too late to put such a modification into this sub-section. Those who might think it necessary to criticise the Bill were not afraid of public meetings, nor were they the persons who had ever deliberately organised opposition. They were the persons who through a long political career, going back to the old jingo days, had stood on platforms when it wanted a vast deal of courage to do so. But while they had had to face these things in the past they looked with some anxiety on any alteration in the law which would interfere with freedom of speech. It was a great misfortune that the Bill was brought in so late, and he was sorry the debate had not arisen on the Second Reading, that before the Bill got to the present stage, there might have been modifications which while carrying out the desire of the noble Lord, would have protected freedom of speech as well as the right of meeting.

Question put.

The House divided:—Ayes, 61; Noes, 21. (Division List No. 462.)

AYES

Balcarres, Lord
Bowles, G. Stewart
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Cameron, Robert
Cecil, Lord R. (Marylebone, E.)
Churchill, Rt. Hon. Winston S.
Coates, Major E. F. (Lewisham)
Corbett, C H (Sussex, E. Grinst'd
Cox, Harold
Craik, Sir Henry
Dobson, Thomas W.
Elibank, Master of
Essex, R. W.
Evans, Sir Samuel T.
Fuller, John Michael F.
Gooch, Henry Cubitt (Peckham)
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Robert V. (Montrose
Haslam, Lewis (Monmouth)
Illingworth, Percy H.
Jones, William (Carnarvonshire
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Mackarness, Frederic C.
Maclean, Donald
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Marks, G. Croydon (Launceston)
Micklem, Nathaniel
Morgan, G. Hay (Cornwall)
Pearce, Robert (Staffs, Leek)
Pease, Rt Hn J A (Saffron Walden
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robson, Sir William Snowdon
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland
Scott, A. H. (Ashton under Lyne
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Thorne, G, R. (Wolverhampton)
Thornton, Percy M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Ward, John (Stoke-upon-Trent)
Whitbread, Howard
Whitley, John Henry (Halifax)
Williams, Llewelyn (Carmarth'n

Tellers for the Ayes—Mr. Hemmerde and Mr. Byles.

NOES.

Allen, A. Acland (Christchurch)
Barnes, G. N.
Carr-Gomm, H. W.
Cleland, J. W.
Cooper, G. J.
Crooks, William
Dickinson, W. H. (St. Pancras, N.
Halpin, J.
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Henderson, J. M. (Aberdeen, W.)
Horniman, Emslie John
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Patrick (Kilkenny)
Pickersgill, Edward Hare
Rowlands, J.
Thorne, William (West Ham)
Walker, H. De R. (Leicester)
Wedgwood, Josiah C.
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Morton and Mr. Charles Duncan,

Main Question put, and agreed to.

Lords' Amendment considered, and read a second time.

Motion made, and Question put, "That this House doth agree with the Lords in the said Amendment."—(*Lord R. Cecil.*)

The House divided:—Ayes, 61; Noes, 13. (Division List No. 463.)

AYES.

Balcarres, Lord
Bowles, G. Stewart
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Cameron, Robert
Carr-Gomm, H. W.
Cecil, Lord R. (Marylebone, E.)
Cleland, J. W.
Corbett, C H (Sussex, E. Grinst'd
Cox, Harold
Craik, Sir Henry
Crooks, William
Dobson, Thomas W.
Elibank, Master of
Essex, R. W.
Evans, Sir Samuel T.
Fuller, John Michael F.
Glendinning, R. G.
Gooch, Henry Cubitt (Peckham)
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Robert V. (Montrose)
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Horniman, Emslie John
Illingworth, Percy H.
Jones, William (Carnarvonshire
Laidlaw, Robert
Lambert, George
Lewis, John Herbert
Mackarness, Frederic C.
Maclean, Donald
Maddison, Frederick
Mallet, Charles E.
Marks, G. Croydon (Launceston)
Micklem, Nathaniel
Norton, Capt. Cecil William
Pearce, Robert (Staffs, Leek)
Pease, Rt Hn J A (Saffron Walden
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robson, Sir William Snowdon
Rutherford, V. H. (Brentford)
Samuel, Rt. Hn. H. L. (Cleveland)
Scott, A. H. (Ashton under Lyne
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Thorne, G. R. (Wolverhampton
Thornton, Percy M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Ward, John (Stoke-upon-Trent)
Whitley, John Henry (Halifax)
Williams, Llewelyn (Carmarth'n

TELLERS FOR THE AYES—Mr. Hemmerde and Mr. Byles.

NOES.

Allen, A. Acland (Christchurch)
Barnes, G. N.
Cooper, G. J.
Halpin, J.
Lamb, Ernest H. (Rochester)
Morton, Alpheus Cleophas
Nolan, Joseph
O'Brien, Patrick (Kilkenny)
Pickersgill, Edward Hare
Rowlands, J.
Walker, H. De R. (Leicester)
Wedgwood, Josiah C.
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. William Thorne and Mr. Charles Duncan.

SITTINGS OF THE HOUSE.

Motion made, and Question proposed, "That this House do meet on Monday next, at Two of the Clock."—(*Mr. J. A. Pease.*)

*MR. MACKARNESS (Berkshire, Newbury) asked whether now or at any stage of the proceedings before the House was prorogued he would be entitled to call attention to the arbitrary banishment of British subjects in India without charge or trial.

*MR. SPEAKER: No, not that nor any other subject.

Question put, and agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 3) BILL

Lords' Amendments to be considered forthwith; considered, and agreed to.

Whereupon Mr. Speaker, in pursuance of the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at thirteen minutes after Two o'clock till Monday next.

HOUSE OF LORDS.

Monday, 21st December, 1908.

PRIVATE BILL BUSINESS.

Local Government Provisional Order (No. 3) Bill.—Returned from the Commons with the Amendments agreed to.

RETURNS, REPORTS, ETC.

TRUCK ACT.

Report of the Departmental Committee on the Truck Acts: Vol. I. Report; Vol. II. Minutes of Evidence (days 1–37); Vol. III. Minutes of Evidence (days 38–66) and Index.

BOARD OF AGRICULTURE AND FISHERIES.

Agricultural Statistics, 1907, Vol. XLII., Part IV. Colonial and Foreign Statistics and Index.

Presented (by Command), and ordered to lie on the Table.

DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Order, dated 16th December, 1908, entitled the "American Gooseberry Mildew (Prohibition of Importation of Bushes) (Amendment Order of 1908 (No. 2))."

INDIA (LOANS RAISED IN INDIA.

Return of all loans raised in India chargeable on the revenues of India, outstanding at the commencement of the half year ended on 30th September, 1908, with the rates of interest and total amount payable thereon, and the date of the termination of each loan, the debt incurred during the half-year, the moneys raised thereby during the half year, the loans paid off or discharged during the half year, and the loans oustanding at the close of the half year, stating, so far as the public convenience will allow, the purpose or service for which moneys have been raised during the half year.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

Agricultural Holdings (Scotland) Bill [H.L.].—Returned from the Commons agreed to.

Public Meeting Bill.—Returned from the Commons with the Amendment agreed to.

COMMISSION.

The following Bills received the Royal Assent—

1. White Phosphorus Matches Prohibition.
2. Local Registration of Title (Ireland) Amendment.
3. Lunacy.
4. Post Office Consolidation.
5. Incest.
6. Criminal Appeal Amendment.
7. Local Authorities (Admission of the Press).
8. Statute Law Revision.
9. Commons.
10. Education (Scotland).
11. Prevention of Crime.
12. Housing of the Working Classes (Ireland).
13. Post Office Savings Bank (Public Trustee) (No. 2).
14. Companies (Consolidation).
15. East India Loans.
16. Poisons and Pharmacy.
17. Appellate Jurisdiction.
18. Assizes and Quarter Sessions.
19. Crofters Common Grazings Regulation.
20. Children.
21. Constabulary (Ireland).
22. Port of London.
23. Law of Distress Amendment.
24. Summary Jurisdiction (Scotland).
25. Local Government (Scotland).
26. Tuberculosis Prevention (Ireland).
27. Coal Mines (Eight Hours) (No. 2).
28. Agricultural Holdings (Scotland).
29. Public Meeting.
30. Buxton Charity.
31. Long Ashton Charity.
32. Abbots Bromley Charity.
33. Education Board Provisional Orders Confirmation (Cornwall, etc.).
34. Kirkcaldy and Dysalt Water Order Confirmation.
35. North British Railway Order Confirmation.
36. Perth Corporation Order Confirmation.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

37. Post Office Sites.

38. Edinburgh and Leith Corporations Gas Order Confirmation.

39. Water of Leith Purification and Sewerage Order Confirmation.

40. Local Government Provisional Order (No. 3).

41. Liverpool Corporation (Streets and Buildings).

42. Ards Railways.

43. London Electric Supply.

44. London (Westminster and Kensington) Electric Supply Companies.

HIS MAJESTY'S SPEECH.

And afterwards His Majesty's Most Gracious Speech was delivered to both Houses of Parliament by the Lord Chancellor (in pursuance of His Majesty's Commands) as followeth—

My Lords, and Gentlemen,

I was much gratified at receiving last May an official visit from the President of the French Republic on the occasion of the Franco-British Exhibition in London. The reception given to M. Fallières by the citizens of London afforded a renewed proof of the cordial feelings entertained in this country towards the French nation.

The recent visit of the King and Queen of Sweden gave great pleasure to the Queen and myself, and will confirm the traditions of friendship which happily exist between the two countries.

My relations with foreign Powers continue to be friendly.

During the past year several important Agreements with foreign Governments have been concluded, which, by eliminating causes of contention, must tend to the consolidation of peace.

Amongst these may be mentioned Treaties with the United States of America for general arbitration, and for regulating certain questions between the United States of America and the Dominion of Canada; and the Agreement for the maintenance of the existing territorial status in the regions bordering on the North Sea.

A Convention has been signed by the Representatives of my Government and of the other States, parties to the International Union for the Protection of Literary and Artistic Works, consolidating and revising the Berne Convention and the Additional Act of Paris. The amended Convention, which will need legislation to give effect to it, will be examined by a Committee before I decide upon its ratification. Papers will be laid before you.

Certain events have recently occurred calculated to disturb the provisions of the Treaty of Berlin in the Balkan peninsula; but there is reason to hope that wise and conciliatory counsels will prevail, and that an amicable settlement will be reached with the consent of the Powers who are parties to the Treaty.

Since I last addressed you, the Belgian Government have notified the assumption by Belgium of the Sovereignty of the Independent State of the Congo. My Government are at present discussing with the Government of Belgium the conditions by which the provisions of the Treaties affecting the territory in question will be safeguarded, when the transfer has been recognised.

I have appointed Commissioners to attend the International Conference, which is to meet at Shanghai in February, to investigate the opium trade and opium habit in the Far East, and to offer suggestions for measures which the Powers concerned may adopt for the gradual suppression of the cultivation, traffic, and use of opium within their Eastern possessions, with a view to assisting China in her purpose of eradicating the opium trade in the Chinese Empire.

A Conference of the principal Naval Powers is at present sitting in London, on the invitation of my Government, with a view to declaring and formulating by common agreement such rules on certain questions affecting the conduct of naval warfare as will, it is hoped, command general assent.

The raids of certain tribes on the North-West Frontier of India rendered military operations necessary for the protection of my subjects and the punishment of the offenders. These operations were skilfully devised and successfully conducted by all concerned.

The famine that unhappily prevailed over parts of India was met by the people with great courage and self-reliance, and the efforts of my officers to relieve suffering and restore prosperity were effective and unremitting.

I deeply regret that the internal tranquillity of parts of my Indian Dominions has been disturbed by a conspiracy of evil-disposed persons against the lives of my officers and the continuance of British rule. But the actions of these persons, while they have necessitated deterrent legislation of an exceptional nature for the protection of life and property and the maintenance of order, have also called forth in all parts of India demonstrations of loyalty to my person and my Government. My Government have, therefore, felt justified in pressing forward the measures that have long been under their consideration for enlarging the share of the Indian peoples in the administration of the country. These measures have been laid before you, and I earnestly hope that they will be received in the spirit of mutual trust and goodwill in which they are proposed.

In the month of July my Son, the Prince of Wales, acting as my representative, paid a visit to the Dominion of Canada, and took part in the interesting celebrations which had been arranged under the auspices of the Governor-General to commemorate the founding of the city of Quebec by Samuel de Champlain. The affectionate reception given to my Son by all classes of my Canadian subjects touched me deeply, and I learned from him with great satisfaction of the loyalty and enthusiasm everywhere displayed upon that unique and historic occasion.

The visit of the American Fleet to Australasian waters evoked warm feelings of cordiality in my Dominions in that quarter of the globe, and was a source of gratification to myself and to my Government.

The important Convention of Statesmen formed to discuss proposals for the closer union of my South African Dominions still continues its deliberations. I am well assured that its labours will conduce to the abiding prosperity of the people of South Africa.

Gentlemen of the House of Commons,

I thank you for the provision which you have made for the services of the year.

My Lords, and Gentlemen,

The Navy has been maintained in a high state of efficiency, and steady progress continues to be made with the reorganisation of the Military Forces of the Crown in accordance with the principles already sanctioned by Parliament.

It was with much satisfaction that I gave my assent to a measure for securing better provision for necessitous old age.

An Act has been passed establishing in Ireland two Universities, to be called respectively the Queen's University of Belfast, and the National University of Ireland. I trust that both seats of learning may play an important and honourable part in the future education of the country.

I have assented to a measure for educational reform in Scotland which confers new powers of control over young persons up to the age of seventeen, improves the position of the teacher, and consolidates all Scottish funds available for the promotion of education, and simplifies their administration.

I regret that, in regard to the controversies connected with the subjects of licensing and national education in England, notwithstanding the time and labour which have been given to their consideration, no settlement has been attained.

Much-needed provision has been made for affording judicial assistance to the Judicial Committee of the Privy Council and to the Court of Appeal in England.

For the purpose of improving the conditions of labour, I have given my assent to a measure to limit the daily hours worked below ground by the men and boys employed in coal mines.

A measure has been passed largely extending, in a variety of directions, the law for the protection of children from cruelty, danger, and neglect, and reforming the methods for dealing with juvenile offenders.

I have sanctioned an Act for the Prevention of Crime, through provision for the reformation of young offenders in Borstal Institutions, and through the detention, under new regulations, of habitual criminals.

My assent has been given to a measure for the improvement and better administration of the Port of London, which closes a long period of uncertainty detrimental to the commerce and shipping of the capital, and which will, I trust, afford a just and comprehensive settlement of this intricate and important question.

A large number of other measures of public utility have been added to the Statute-book, and amongst them several Acts of unusual scope and comprehensiveness for consolidating existing enactments in various branches of the law.

I thank you for the zeal which has characterised your protracted and arduous labours, and I pray that they may be rewarded by the blessing of Almighty God.

Then a Commission for proroguing the Parliament was read.

After which the Lord Chancellor said—

My Lords and Gentlemen,

By virtue of His Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in His Majesty's Name and in obedience to His Commands, prorogue this Parliament to Tuesday the Sixteenth day of February One thousand nine hundred and nine, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the Sixteenth day of February One thousand nine hundred and nine.

HOUSE OF COMMONS.

Monday, 21*st December*, 1908.

The House met at Two of the Clock.

PETITION.

WEST AFRICA (IMPORTATION OF SPIRITS).

Petition from Newcastle-on-Tyne, for suppression; to lie upon the Table.

RETURNS, REPORTS, ETC.

BOARD OF AGRICULTURE AND FISHERIES.

Copy presented, of Agricultural Statistics, 1907, Vol. XLII., Part IV., Colonial and Foreign Statistics and Index [by Command]; to lie upon the Table.

DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Copy presented, of an Order, dated the 16th day of December, 1908, entitled the "American Gooseberry Mildew (Prohibition of Importation of Bushes) Amendment Order of 1908 (No. 2)," [by Act]; to lie upon the Table.

EAST INDIA (LOANS RAISED IN INDIA).

Copy presented, of Return of all Loans raised in India, chargeable on the Revenues of India, outstanding at the commencement of the half-year ending on the 30th September, 1908, etc. [by Act]; to lie upon the Table, and to be printed. [No. 383.]

PARLIAMENTARY PAPERS.

Mr. SPEAKER laid upon the Table—List of the Bills, Reports, Estimates, and Accounts and Papers printed by order of the House, and of Papers presented by Command, Session 1908, with a General Alphabetical Index thereto, 28th Parliament, Third Session, 8th Edward VII., 29th January, 1908, to 21st December, 1908; to be printed. [No. 384.]

MESSAGE FROM THE LORDS.

That they do not insist on their Amendments to the Coal Mines (Eight Hours) (No. 2) Bill, to which the Commons have disagreed.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Employment of Ex-Superintendent at Taunton Post Office.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Postmaster-General if he can now state whether an ex-superintendent at the Taunton Post Office, who was invalided out of the service about two years ago on a pension of about £100 a year, is at present in employment at the same office, for which he is also receiving wages; whether he has been in this employment for the past few months; and, if so, whether he will give instructions that persons wholly unemployed shall have preference for employment when the pension is of similar proportion to the above.

(*Answered by Mr. Sydney Buxton.*) I find the facts are substantially as stated. For special reasons this officer was employed; but at Taunton, as elsewhere, I shall continue to employ by preference persons wholly unemployed on all classes of work which can reasonably be entrusted to them.

Imprisonment of Chinese Seamen Serving on the Steamer "Strathspey."

MR. HAVELOCK WILSON (Middlesbrough): To ask the President of the Board of Trade whether any report has been sent by the authorities at Bombay with regard to the imprisonment of Chinese seamen who were serving on the British steamer "Strathspey"; if he can state with what offence the seamen in question were charged and what sentence was passed on them by the Bombay magistrate; whether he is aware that during the past twelve months the Strathspey Steamship Company have experienced difficulty in the management of Chinese crews; and whether the Board of Trade intend to make any inquiries with regard to the continual outbreak and insubordination amongst the Chinamen employed by the Strathspey Steamship Company.

(*Answered by Mr. Churchill.*) I have received no report from Bombay respecting the case of the "Strathspey," nor have I received any information on the other points raised in the Question, but inquiries shall be made and the result communicated to my hon. friend.

Cost of Elementary Education.

MR. ARMITAGE (Leeds, Central): To ask the President of the Board of Education in what proportions during the year ending 31st July, 1908, was the cost of elementary education met from the Imperial Exchequer and from local rates respectively.

(*Answered by Mr. Runciman.*) The proportion of the total expenditure during the year ending 31st March, 1907 (the last year for which figures are available) met by Exchequer grants was 53·8 per cent., the remainder being met by local rates and, to the extent of 1·3 per cent., by local receipts from sources, such as endowments, fees, etc.

Education Loans.

MR. ARMITAGE: To ask the President of the Board of Education if he will state the total amount of loans for the provision of public elementary schools sanctioned to school boards and local education authorities from 1870 to 31st March, 1908; what was the amount of outstanding loans on 31st March, 1907, and what the amount paid by local education authorities in interest and sinking fund in respect of such loans during the year ending 31st March, 1907.

(*Answered by Mr. Runciman.*) The total amount of loans for the provision of public elementary schools sanctioned in respect of school boards since 1870 was £48,764,481 10s. 2d. and, in respect of local education authorities up to 31st March, 1908, £8,816,023. The loans outstanding on 31st March, 1907, amounted to £37,822,440. The payments in respect of interest and sinking fund during the year ending 31st March, 1907, amounted to £2,420,583.

Private Police Patrol in Lough Neagh

MR. GLENDINNING (Antrim, N.): To ask the President of the Board of Trade if any complaints have been made to his Department that two steamers with armed police patrol Lough Neagh between sunset and sunrise without showing lights, much to the danger of those using the lough at night; whether he is aware that these steamers are in the employ of private fishing claimants; and will he make inquiries into the matter with the view of putting a stop to the practice.

(*Answered by Mr. Churchill.*) A complaint was made to the Board of Trade by the Fishermen's Defence Union that two launches were in the habit of plying on Lough Neagh without lights, and it was ascertained on inquiry that they were used by the water bailiffs in the employment of fishery lessees. The matter is not one in which the Board of Trade can interfere.

Corruption of Young Girls in East Africa.

Mr. H. J. WILSON (Yorkshire, W.R., Holmfrith): To ask the Under-Secretary of State for the Colonies whether the corruption of young girls is a criminal offence in British East Africa.

(*Answered by Colonel Seely.*) The term used in my hon. friend's Question does not specify any offence known to the law. The law of East Africa with respect to such matters is governed by the principles of the Indian penal code, which contains elaborate provisions on the subject.

Old-Age Pensions Regulations.

Mr. VINCENT KENNEDY (Cavan, W.): To ask the President of the Local Government Board if he will state whether pension officers are instructed to inquire from applicants whether they have been in receipt of pensions from any source during the current and previous three years; has he as a result discovered that railway companies have insisted on their former employees, whom they had pensioned, applying for the pension; and will steps be taken to deal with this state of affairs.

(*Answered by Mr. Lloyd-George.*) A pension received by a claimant would be a part of his "means" within the meaning of the Act and the same inquiries have to be made as are made with regard to other sources of income, but they would not as a rule extend over a longer period than the twelve months immediately preceding the application. I am aware that in some cases railway companies and other employers paying voluntary allowances to former employees have, in view of the fact that such employees are qualified to receive old-age pensions, discontinued or reduced their allowances, but, as such action would appear to be within the discretion of the person or company making the allowance, I am not in a position to take any action. I have no reason to suppose that such steps have been taken as a result of inquiries made of the companies by pension officers.

Clerks to Justices and Private Professional Work.

Mr. RAWLINSON (Cambridge University): To ask the Secretary of State for the Home Department whether the inquiries promised by him on 29th October last into the question of certain clerks to justices being concerned professionally for members of the public appearing before their bench, have resulted in any, and what, cases of such malpractices being proved to his satisfaction; and, if any such cases have been proved, what steps he proposes to take in the matter.

(*Answered by Mr. Secretary Gladstone.*) One instance only has been alleged to me of a clerk to justices acting professionally in a case before his bench, and in that case I found on inquiry that the proceedings in question were not before his bench, but in a County Court.

Payments under the Workmen's Compensation Act.

Mr. McLAREN (Staffordshire, W.): To ask the Secretary of State for the Home Department whether, in view of the fact that much dissatisfaction continues to be felt among workmen that payment under the Workmen's Compensation Acts does not commence in each case from the date of the accident, he intends to take steps to introduce an amending Bill next session.

(*Answered by Mr. Secretary Gladstone.*) I could not undertake to introduce an amending Bill without further experience of the working of the Act of 1906, even if there were not other more pressing subjects for legislation. I may add that I have received no representations as to the dissatisfaction to which my hon. friend refers.

Taxation per Head in Principal European Countries.

Lord R. CECIL (Marylebone, E.): To ask Mr. Chancellor of the Exchequer what is the average amount of taxation, including local taxation, per head in the United Kingdom, in the principal European countries, and in the United States.

(*Answered by Mr. Lloyd-George.*) I have no information with regard to foreign countries which would enable me to give an Answer to this Question.

Horse for Dowra Police Force.

MR. VINCENT KENNEDY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether there is a horse attached to the police force quartered in Dowra; if so, where is the animal stabled and at what cost; to whom is the rent paid; who pays for the fodder, and what is the cost of the same per annum; what is the annual cost of the man in charge of this horse; what is the usual work this horse is used for, and how often does this arise; how long has this horse been in Dowra; what was the original cost and what is it worth now; have any of the men at this station bicycles; is there a telegraph office in the village; and will he say if this stud can be profitably dispensed with, and, if so, how soon.

(*Answered by Mr. Birrell.*) The Inspector-General of the Royal Irish Constabulary informs me that there is a transport horse and car attached to the Dowra Police Station. The horse and car are put up at the house of Mr. Stuart Flaherty, local postmaster and clerk of petty sessions, to whom the sum of 1s. 9d. a day is paid for stabling, harness-room, and coach-house. The fodder is paid for by the police authorities at the rate of 2s. per day. The man in charge is a mounted constable, with the pay of his rank, but without the usual allowances for arms and saddlery. He draws in addition 6d. a day transport allowane, and 4s. 6d. per month for stable requisites. The horse is used for transport purposes and for conveying coals and provisions to an outlying station. These duties are continually arising. The horse in question has been at Dowra for fourteen months. It is presumed to have cost originally about £40. Having regard to its age it is not now worth more than about £20. Several of the police at Dowra have bicycles and there is a telegraph office in the village. The horse and car cannot at present be withdrawn from Dowra.

Evicted Tenants—Case of Dan Diffley.

MR. JAMES O'KELLY (Roscommon, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the case of Dan Diffley, who was evicted twenty-four years ago from his holding containing about six English acres, situate at Cloonfad, near Roosky, in the County of Roscommon, the landlord of the holding being Captain Treadwick; is he aware that Dan Diffley was a yearly tenant, that John Diffley took the holding two years after the eviction of Dan Diffley, and that John Diffley's son, Thomas Diffley, is in occupation now of the holding from which Dan Diffley was evicted; that the estate is going to be sold out to the tenants through the Estates Commissioners; that the present applicant is Martin Diffley, of Kilmore, Clondra, and lives in a labourer's cottage with his wife and two children, and is a son of Dan Diffley, deceased; and that Martin Diffley wants to be reinstated in the home of his childhood, and is the personal representative of the evicted tenant Dan Diffley; and will he say what action the Estates Commissioners propose to take in this case.

(*Answered by Mr. Birrell.*) The Estates Commissioners have decided not to take any action on the application of Martin Diffley for reinstatement in the holding of which John Diffley's son is in occupation as tenant.

Persons Employed in the Lead Trade.

MR. JOHN WARD (Stoke-on-Trent): To ask the Secretary of State for the Home Department whether he can state the number of workpeople employed in contact with lead generally, the number employed in white lead factories, the number employed in orange and red lead factories, and the number employed in electrical accumulator works in each case.

(*Answered by Mr. Secretary Gladstone.*) There are no Returns which give the number of workpeople employed in contact with lead. The use of lead in some form or another is so large and varied that it would be almost impossible to obtain figures for it. Neither do the

Returns which are collected by the Factory Department discriminate between the numbers of persons employed in white lead, orange, and red lead factories, respectively. I am, however, able to give the following figures: in 1904 the total number of persons employed in white, orange, and red lead factories was 1,835, and of those employed in electrical accumulator factories, 1,108.

Temperature of Stokeholds of Battleships.

MR. JOHN WARD: To ask the First Lord of the Admiralty what are the recorded temperatures in the stokeholds of His Majesty's ships of war in each class when travelling at full speed and ordinary speed; what were the recorded temperatures in the stokeholds of the "Indefatigable" on her homeward journey across the Atlantic with the Prince of Wales aboard; and how long do stokers work in the stokehold on ordinary service.

(*Answered by Mr. McKenna.*) The information asked for in the first part of the Question cannot be furnished without exhaustive inspection of Returns, which cannot be carried out with the present staff without delaying important work, which delay would be detrimental to efficiency. The second part of the Question apparently refers to the "Indomitable." No information is yet available in the Department. The reply to the third part of the Question is eight hours a day.

Admiralty Contracts—Messrs. Morrison and Mason and the Fair Wages Clause.

MR. T. F. RICHARDS: To ask the First Lord of the Admiralty whether he is aware that the contractors, Messrs. Morrison and Mason, are paying 5d. per hour for labourers, whilst 6d. per hour is the rate recognised in the borough of Portsmouth for labourers employed in and about building operations; whether he has consulted the representatives of labour in the borough, and, if not, will he now consult them; whether these men having served in the Army is any reason why they should be paid less wages than others, and why they should be compelled to work five hours per week longer; whether, when the Admiralty considered this matter, they were aware that only non-union labour was being employed and preference given to non-unionists over trade unionists; and what action does he intend to take in the matter.

(*Answered by Mr. McKenna.*) I am aware that Messrs. Morrison and Mason are paying some of their labourers at the rate of 5d. per hour, but the work done by them is not the same class of work as that for which the rate of 6d. per hour is recognised in the borough. I have not consulted the representatives of labour in the borough, and I do not understand that any of the facts on which the representatives of labour could assist me are in dispute. The fact that ex-soldiers may be employed is not a reason why they should be paid lower wages than others engaged on the same class of work, and no distinction as regards ex-soldiers is made, either as to pay or as to the number of hours worked per week. I am not aware that only non-union labour is being employed or that preference is given to non-unionists over trade unionists, and the matter is not one which comes under the control of the Admiralty.

New York Labour Statistics.

MR. JOHN WARD: To ask the President of the Board of Trade if he has any official information showing whether the statistics of the Labour Department of New York State are complied from trade union returns that are general to the whole of the United States of America.

(*Answered by Mr. Churchill.*) In the bulletins issued by the Labour Department of the State of New York the names of the unions from which the statistics are obtained are not given, and it is therefore impossible to state from the official information whether these statistics are compiled from trade union returns which are general to the whole of the United States.

Irish Poor Law Valuation.

MR. LONSDALE (Armagh, Mid): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain from the Registrar-General whether the total Poor Law valuation of agricultural holdings in Ireland, as shown in column

24 of Parliamentary Paper [Cd. 4412] and in Table 68 of the General Report of the Census of 1901, namely £10,061,667 is inclusive of the valuation of all demesne lands throughout Ireland, home parks, grazing lands, allotments not exceeding one or two acres in extent let to tenants of labourers' cottages, market gardens and of holdings not coming within the scope of land purchase, and of all descriptions of land comprised in the statutable acreage of Ireland, less the civic area of towns of not less than 2,000 inhabitants, and the acreage of roads, fences, plantations, and other similar tracts; will he state whether the total amount of purchase money under the Land Act of 1903, now estimated by the Estates Commissioners at £183,568,396, is based on the assumption that all such lands, together with agricultural holdings remaining unsold on 1st November, will be sold at the average price for which sales have heretofore been completed under the Act; and, if so, what is the justification for the assumption.

(*Answered by Mr. Birrell.*) The Census Return of agricultural holdings referred to in the Question includes all occupied land, such as ordinary agricultural holdings, demesne lands, grazing lands, plantations, mountain, and marsh, but does not include land under towns, waste, small gardens in towns and villages, land under railways, and land attached to workhouses and other public institutions. Advances under the Land Purchase Acts can and have been made for the purchase of the various classes of land comprised in the Census Return, including demesnes, home farms, grazing lands, and lands for the purposes of the Labourers Acts. Advances have also been made for lands not included in the Census Return, such as village and town plots and gardens. In making an estimate of the purchase money of the land unsold on 1st November last, the Estates Commissioners assumed that all lands comprised in the Return would or might be sold under the Land Purchase Acts at the average price of lands already sold under the Act of 1903.

Speedometers on Motor-Driven Vehicles.

MR. BOWERMAN (Deptford): To ask the President of the Board of Trade whether, in agreement with the powers possessed by the Board, he will consider the desirability of making a regulation compelling all mechanically-driven vehicles, such as motor-cars, motor omnibuses, and electric tramcars, to carry speedometers, so that the public may be safeguarded against the risks attendant upon reckless driving, and the drivers of such vehicles protected against charges of exceeding the speed-limit.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer this Question. The Royal Commission on Motor Cars considered a number of suggestions as to speed indicators or speedometers, but came to the conclusion that they could not recommend that the adoption of them in respect to motor-cars should be made compulsory. I have not seen my way to depart from the recommendations of the Royal Commission in this matter. I have no jurisdiction in the matter so far as tramcars are concerned, but I understand that the Board of Trade are suggesting to tramway authorities that a proportion of their cars should be fitted with speed indicators for training purposes, so as to enable motor-men to be trained in judging speeds.

The Hobhouse Report—Senior and Head Postmen.

MR. BOWERMAN: To ask the Postmaster-General whether he can now state when he will be prepared to carry into effect the recommendation embodied in Paragraph 406 of the Report of the Hobhouse Committee, which states that the class of senior postman should be amalgamated with that of head postman.

(*Answered by Mr. Sydney Buxton.*) The adoption of the recommendation referred to has involved questions of considerable difficulty. The selection of officers to perform the various groups of duties is now proceeding, and I hope that the scheme may shortly be completed.

Pay of Extra Men Engaged for Christmas Work at Seacombe Post Office.

MR. RAMSAY MACDONALD (Leicester): To ask the Postmaster-General if he will explain why applicants for special Christmas work at Seacombe, Cheshire, have received forms stating that the pay is to be 5¼d. per hour, whereas previously it was 6d. per hour up to 21st December and 8d. per hour from that date until the work finished.

(*Answered by Mr. Sydney Buxton.*) I am writing to the hon. Member on this subject.

Coal Residue in Reinforced Concrete.

Mr. ANNAN BRYCE (Inverness Burghs): To ask the President of the Local Government Board what has been the result of inquiries which he promised to make as to the forbidding throughout Germany of the use of coal residues in reinforced concrete for building purposes; and whether he proposes to take any steps with regard to the use of such material in England.

(*Answered by Mr. John Burns.*) I have made some inquiry on this subject, but my investigations are not at present concluded, and in the meantime I am not in a position to come to a conclusion with regard to the use in England of the material referred to.

Building of Piers.

Mr. FLAVIN (Kerry, N.): To ask the President of the Local Government Board whether the Government advance loans to harbour or other public authorities for the building of piers or viaducts leading to piers for shipping accommodation in harbours; whether the Local Government Board have any official reports showing whether jarrah wood or pitch pine or ferro-concrete is the most serviceable and lasting in tidal or salt water, and the relative cost of jarrah wood, pitch pine, and ferro-concrete; and for what period would a loan be issued for work done in jarrah wood or pitch pine or in ferro-concrete.

(*Answered by Mr. John Burns.*) Money may be borrowed from the Public Works Loan Commissioners for these purposes, but it is only in very exceptional cases that such loans require the sanction of the Local Government Board. The term for which any loan would be sanctioned would depend on the nature and solidity of the work and all the circumstances of the case. The Board have no official reports with regard to the durability of jarrah wood, or pitch pine, or ferro-concrete in salt water. This would largely depend upon the conditions under which the materials were used. I am advised that the relative cost of the materials respectively varies as 2 : 1 : 1½.

Distress Committee for Brentford.

Mr. T. F. RICHARDS: To ask the President of the Local Government Board whether he will reconsider the application of the Brentford Urban District Council for sanction to create a distress committee; and, in the event of his not being able to grant the application, will he state what steps may be taken by the council to deal with the unemployed in its area.

(*Answered by Mr. John Burns.*) I have not received any representations since I came to a decision with regard to this application which would show that it ought to be reconsidered. I should hope that the necessities of the case would be met by local effort, and I understand that the urban district council are doing their best to provide work upon which the unemployed may be engaged.

Old-Age Pensions Regulation.

Mr. HORNIMAN (Chelsea): To ask the President of the Local Government Board whether an old woman, occupying a cottage conjointly with her daughter and son-in-law who pay the major portion of the rent, £26, is disqualified for an old-age pension owing to the fact that her name appears as rateable occupier of the same.

(*Mr. John Burns.*) My hon. friend will realise that the circumstances of each particular case must be considered, but I may say generally that the fact that a claimant is the rateable occupier of a cottage of the kind to which he refers would not, I think, in itself preclude her from receiving an old-age pension.

Oxford Street School, Swansea—Report of Inquiry.

Lord BALCARRES (Lancashire, Chorley): To ask the President of the Board of Education why the report of the public local inquiry concerning the Oxford Street school at Swansea, which is dated

30th September, was withheld from publication for ten weeks.

(*Answered by Mr. Runciman.*) "Publication" is not required by the statute, but simply a deposit of the report of the inquiry at the offices of the local education authority. It is not the practice of the Board to deposit the report until the Board have come to a decision upon the questions with regard to which the inquiry was held, and no useful purpose would be served by such a course. In this case very difficult questions of fact and law arose which required prolonged consideration by the Board, with such legal assistance as is at the disposal of the Government, before that decision could be arrived at. The decision was communicated directly it was arrived at to the local education authority and to the managers.

LORD BALCARRES: To ask the President of the Board of Education on what dates the report of the public local inquiry concerning the Oxford Street school at Swansea was sent to the local education authority and to the managers, respectively; and if it is usual to forward these reports simultaneously to the parties concerned.

(*Answered by Mr. Runciman.*) The decision of the Board on the question which formed the subject matter of the inquiry was forwarded to the authority and to the managers simultaneously on 17th December. At the same time the report of Mr. Hamilton was forwarded to the authority for deposit in pursuance of Section 73 (3) of the Elementary Education Act, 1870, and the managers were informed that this course had been taken, and that the place of deposit was the Guildhall, Swansea. It is not usual to forward Reports of local inquiries to anyone but the local education authority concerned.

Old-Age Pensions—Computation of Incomes of Irish Farmers.

MR. WILLIAM REDMOND (Clare, E.): To ask Mr. Chancellor of the Exchequer whether, in calculating the incomes of small farmer pension claimants in Ireland, the pension officers treated the members of claimant's family working on the farm as earning whatever they received in food, clothing, lodging, etc., up to a limit substantially higher (in the case of members of the family doing work of management and supervision) than ordinary labourers' wages, or whether the pension officer treated the children's support as part of the claimant's income; whether the support of small children of a married son living on the farm was treated as part of the father's earnings when it did not bring the latter above the limit in question, or whether the pension officer treated same as coming out of the grandfather's (claimant's) income; whether he is aware that the working of small farms in Ireland by the owner and his family really constitutes a genuine though informal partnership, so that a claimant should only be fixed with the value of the benefit actually received from the holding by himself and by members of his family, who did not earn or who received more than they earned; whether, in the event of the authorities not accepting this view, they will, before taking action, make inquiries among clergymen, magistrates, solicitors, and other persons in Ireland familiar with the habits of small farmers in question; whether he is aware that, apart from their respective legal powers when disputes arose, the position of a small farmer who retained the legal ownership of his farm was identical with that of one who had made it over to a child on marriage, retaining only a right of residence and support by covenant in the deed; and whether he is aware that in many instances the cost of preparing a deed was the only reason the owner did not assign it to a child on marriage, and that all concerned treated it as owned by the married son, subject to an obligation of supporting his parents.

(*Answered by Mr. Lloyd-George.*) Cases of the kind referred to have up to the present been treated upon their merits, regard being had to the particular circumstances of each case, and no general principles have been laid down. The formulation of such principles, which may involve legal considerations of some complexity, is a matter for the Local Government Board in dealing with appeals rather than for the pension officer, and pension officers will be instructed to guide themselves in the future by the decisions given in such cases by that Board.

Evicted Tenants—Case of Thomas Kent.

MR. WILLIAM ABRAHAM (Cork County, N.E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have considered the Report of their inspector upon the case of Thomas Kent, of Ballinamona, an evicted tenant on the Kingston estate, Mitchelstown, and whose farm is in the landlord's possession; and whether steps are being taken to bring about the reinstatement of the evicted tenant in his old holding.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the papers in this case are with their inspector for consideration in connection with the distribution of untenanted land on the estate.

Distress in Drogheda.

MR. NOLAN (Louth, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that representations have been made to the Local Government Board (Ireland) as to the existence of great distress in Drogheda through want of employment; whether he can state the number of working men out of employment there and the amount of the grant by the Local Government Board to the distress fund; and whether that amount is in proportion to the grants made in England in similar cases.

(*Answered by Mr. Birrell.*) The Drogheda Distress Committee have made representations to the Local Government Board that a large number of men in that town are in want of employment. The committee are giving employment to about 175 men. It is understood that they have a considerably larger list of persons eligible for work. The exact number is not known to the Local Government Board. A grant of £450 has been made to Drogheda by the Treasury out of the Parliamentary Vote, and of this £300 has been advanced by the Local Government Board to the distress committee. The question of making a further grant will be considered if the necessity arises. I have no information as to how this grant compares with the grants made in England.

Information as to Public Officials.

MR. JOWETT (Bradford, W.): To ask the Prime Minister if a Member of this House is entitled to information as to the identity and official position of public officials in attendance on one of the Standing Committees of the House; and, if so, to whom should he apply for the information.

(*Answered by Mr. Asquith.*) Requests for information about officers of this House should be addressed to the authorities of the House. Requests for information about public officials attending in pursuance of a request from a Minister of the Crown should be addressed to that Minister.

Indian Sovereign Princes Resident in this Country, and English Law.

MR. WILLS (Dorsetshire, N.): To ask the President of the Local Government Board whether he is aware that a motor car collision took place at Sturminster Marshall, Dorset, on 18th November last, in which Mr. Roy George, a native of Blandford, was seriously injured by a motor car driven by Prince Jitendra Narayan, eldest son of the Maharaja of Cooch Behar, and that, on being summoned for unlawfully driving the car to the danger of the public, the prince successfully pleaded that as a foreign sovereign prince he was not liable to process of British Law; and whether he will consider the advisability of introducing legislation to protect the citizens of this country from similar dangers at the hands of this or any other irresponsible sovereign princes.

(*Answered by Mr. John Burns.*) I have seen a newspaper report of the case, from which I gather that the prince was willing that the justices should deal with the complaint, but that they held that they had no jurisdiction over him. My hon. friend will no doubt see that any such legislation as that desired by him could not be limited to offences under the Motor Car Acts. His suggestion, therefore, raises a general question as regards the position of sovereign princes resident in this country with which it would not be within my province to deal.

Overcrowding of Schools at Willesden.

Mr. YOXALL (Nottingham, W.): To ask the President of the Board of Education whether he has received information that considerable and systematic overcrowding exists in schools controlled by the Willesden Education Committee, to the detriment of the scholars and the dissatisfaction of their parents; and will he take steps to prevent this for the future.

(*Answered by Mr. Runciman.*) The Board have received complaints as to overcrowding of certain schools in the urban district of Willesden, and careful inquiries are being made.

Salaries of Customs Clerks.

Mr. T. F. RICHARDS: To ask the Secretary to the Treasury whether, in connection with the open competitive examination held in October, 1900, for second-class clerkships, lower section, in the Customs, he will state the present average salary of the successful candidates; what was their average salary immediately prior to promotion to upper-section clerkships, and what average immediate increase did they receive; and, in connection with the examination for second division clerkships held in September, 1900, the present average salary of the successful candidates who entered the Savings Bank Department of the Post Office; what is the percentage of appointments with salaries above £200 to appointments with salaries up to £200 in the Customs clerks and Savings Banks second division clerks classifications respectively; whether the entrance examinations for Customs clerks and second division clerks were practically neutral in 1900; and what other positions besides those in the ordinary classification Customs clerks have open to them.

(*Answered by Mr. Hobhouse.*) I am informed that the present average salary of the successful candidates at the October, 1900, competition for Customs second-class clerkships, lower section, is £195 6s. 8d. Their average salary immediately prior to promotion to the upper section (one clerk has not yet been promoted) was £118 11s. 5d. The average immediate increase of salary to those promoted was £81 8s. 6d. The present average salary of the Second Division clerks who entered the Savings Bank Department of the Post Office in 1900 is £124. The percentage of appointments with salaries above £200 to appointments with salaries up to £200 in the Customs clerks classification is 99; the question, however, is not applicable to the case of Second Division clerks whose scale of salary is £70 to £300 or £350. The Civil Service Commissioners inform me that in 1900 the examinations for the two classes of clerkships referred to were quite distinct and were held at different times. As regards the last part of the Question, I understand that clerks, in common with other officers, are eligible for appointment to chief officerships and collectorships of Customs as well as to any position in the superintending establishment for which they are considered qualified.

East African Protectorates—Deportation of Disloyal Agitators.

Mr. REES (Montgomery Boroughs): To ask the Under-Secretary of State for the Colonies whether in the East Africa Protectorate power is reserved to the Government to deport disloyal and dangerous agitators and others; and whether such power is reserved in respect of other Colonies and Dependencies.

(*Answered by Colonel Seely.*) Under Section 25 of the East African Order in Council the Governor has the power to which my hon. friend refers. A similar power is reserved in other African Protectorates. I am not aware that the power exists generally in the Colonies strictly so-called.

Education of Indian Children in Natal.

Dr. RUTHERFORD (Middlesex, Brentford): To ask the Under-Secretary of State for the Colonies whether he has received information to the effect that the Government of Natal have reinstated the notice that was withdrawn about a month ago to the effect that Indian children over fourteen years of age will, on and after 23rd December next, have to leave the Indian schools no matter what standard they may have reached; and, if so, whether any alternative schooling is to be provided for them, and does His Majesty's Government propose to take any action.

(*Answered by Colonel Seely.*) I have no official information to this effect, but inquiry is being made of the Governor.

Irish National Teachers' Pensions.

MR. T. M. HEALY (Louth, N.): To ask the Secretary to the Treasury if he will state why the recommendation of the Commissioners of National Education in their Report for 1907–8, viz. to add ten years to a service of twenty-five years as teacher to qualify for pension, in case of mental or physical debility, was rejected; is the ever-accumulating fund, amounting at present to £2,300,000 and partly built up by the teachers themselves, not considered sufficient to provide a better pension than £3 19s. 8d. per annum to teachers after twenty-six years service; and will he take into consideration the views of the teachers with a view to allaying the discontent existing amongst them on the question of pensions.

(*Answered by Mr. Hobhouse.*) The refusal was based on financial grounds, the Treasury not being justified in asking Parliament to impose additional burdens upon the taxpayer in respect of this service, particularly at a time when proposals (since sanctioned at a cost of £114,000 a year) for the improvement of the salaries of Irish teachers were under consideration. The adoption of the proposals would in any case have involved extensive re-adjustment of a large part of the pension scheme, and would have resulted in serious inequalities as between different classes of teachers. The actuarial investigation made in 1906 shows that the accumulation of the fund is not sufficiently rapid to provide for its accruing liabilities. The average disablement allowance, however, in cases of retirement after twenty six years service is (even apart from the value of the premiums returned with compound interest) very considerably in excess of the amount stated in the Question. The representations of the Commissioners of National Education received very careful consideration before the decision to which the hon. Member refers was arrived at, and I do not think there would be any advantage in re-opening the question at the present time.

Indian Reforms—The Partition of Bengal.

MR. SMEATON (Stirlingshire): To ask the Under-Secretary of State for India whether, in consideration of the probability that the maintenance of the partition of Bengal in its present form may imperil the success of the reforms announced by His Majesty's Government, the Secretary of State can see his way to re-open the question and, after consultation with the leaders of moderate opinion in the dismembered province, to modify the partition in such a way as to meet the wishes of the great majority of the people of Bengal.

(*Answered by Mr. Buchanan.*) The Secretary of State does not propose to re-open the question of the administrative sub-division of Bengal, nor has he any good reason to suppose that the maintenance of the *status quo* in this respect will imperil the success of the constitutional reforms about to be introduced.

QUESTIONS IN THE HOUSE.

Temperatures of Battleship Stokeholds.

MR. JOHN WARD (Stoke-on-Trent): I beg to ask the First Lord of the Admiralty what are the recorded temperatures in the stokeholds of His Majesty's ships of war in each class when travelling at full speed and ordinary speed; what were the recorded temperatures in the stokeholds of the "Indefatigable" on her homeward journey across the Atlantic with the Prince of Wales aboard; and how long do stokers work in the stokehold on ordinary service.

THE SECRETARY TO THE ADMIRALTY (Dr. MACNAMARA, Camberwell, N.): The information asked for in the first part of the Question cannot be furnished without exhaustive inspection of Returns, and cannot be carried out with the present staff without delaying important work—which delay would be detrimental to efficiency. The second part of the Question apparently refers to the "Indomitable." No information is yet available in the Department. The reply to the third part of the Question is eight hours a day.

MR. JOHN WARD: Arising out of that Answer, can the hon. Gentleman supply me with information with reference to the "Indefatigable" the moment it is available?

DR. MACNAMARA: I do not know if any explanations have come into the Department with regard to that vessel, but I will see if I can supply the information.

Woolwich Arsenal Discharges.

MR. CROOKS (Woolwich): I beg to ask a Question, of which I have given oral notice, viz., What steps the Secretary of State for War proposes to take with regard to the notices of dismissal given to between twenty and thirty workmen of the engineers' section of the Royal Arsenal, Woolwich—most of whom are old servants and some with twenty years service—having regard to the pledge which has been given both inside the House and outside that no more discharges will take place, but that the reduction to reach the minimum will be by natural shrinkage.

THE UNDER-SECRETARY OF STATE FOR WAR (Mr. ACLAND, Yorkshire, Richmond): The hon. Member gave me notice of the Question only an hour since, and the hour between one and two is not the most convenient for obtaining accurate and full information from Woolwich. I have, therefore, not been able to find out whether the notices have been given, but if they have been given it is an error. There is no intention of departing from the pledge that the minimum shall be reached by wastage and not by further discharges. I will send the hon. Member information this afternoon as to exactly what has occurred.

The Partition of Bengal.

*MR. C. J. O'DONNELL (Newington, Walworth): I beg to ask the Under-Secretary of State for India if, before Parliament meets again, he will obtain, in regard to the partition of Bengal, the opinions of all retired members of the Bengal Civil Service now resident in the United Kingdom who are ex-lieutenant-governors, ex-members of the Legislative Council of Bengal, or who have held the office of commissioner of a division, and lay such opinions upon the Table of the House.

I beg also to ask the Under-Secretary of State for India if, before Parliament meets again, he will obtain, in regard to the partition of Bengal, the opinions and advice of the Maharajas, Nawabs, and Rajas of Bengal proper, which province was divided into two portions by that measure; and whether he will lay such opinions on the Table of the House.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): The Secretary of State is not disposed to take the action suggested in the Questions of my hon. friend.

*MR. C. J. O'DONNELL: May I ask whether the right hon. Gentleman is willing to give the House the most experienced and independent official opinion, and also the opinion of the most loyal section of the Bengal community?

MR. BUCHANAN: The Secretary of State has no desire to undervalue the opinion of either class, but he does not think it would, at the present moment, serve any useful purpose to take the action suggested.

*MR. C. J. O'DONNELL: May the House hope to have the information later?

MR. BUCHANAN: I am afraid I cannot go further than I have already stated.

MR. REES (Montgomery Boroughs): Has there not been a satisfactory consensus of the greater part of public opinion in favour of this measure as evidenced by the resolutions passed by loyal Hindus, Mahomedans, and Christians in Bengal?

Mr. BUCHANAN: I am not disposed to say either yea or nay.

*Mr. C. J. O'DONNELL asked when, how or where these resolutions were passed.

Mr. BUCHANAN: I have not that information.

Mr. REES: I can give it to the hon. Member.

Scottish Harvest.

Mr. COCHRANE (Ayrshire, N.): I beg to ask the hon, Member for South Somerset, as representing the President of the Board of Agriculture, whether he has any report as to the quality and quantity of the harvest of cereals in the West and South-West of Scotland for the current year, and how the crops compare in quantity and quality with the previous three years.

Captain NORTON (Newington, W., for Sir Edward Strachey): In the West of Scotland, from Inverness northwards, the yield of barley in 1908 was estimated at about one and a half bushels per acre above the average of the preceding three years, that of oats two and three quarter bushels above. In the South-West, wheat yielded half a bushel more than the average of three preceding years, barley two and a half more, and oats two and a half more, per acre. The quality of the grain in the West this year is generally reported to be good, and would appear to be better than on the average of the past three years. In the South-West, the Reports as to quality are not so favourable.

Mr. COCHRANE: Is the hon. and gallant Gentleman aware that the President of the Board of Agriculture in reply to a deputation from South-West Ayrshire congratulated the Members on the abundant harvest.

Mr. SPEAKER: The hon. Member should give notice of that.

Message to attend the Lords Commissioners.

The House went; and the Royal Assent was given to a number of Acts (*see* page 2346).

And afterwards His Majesty's Most Gracious Speech was delivered to both Houses of Parliament by the Lord High Chancellor (in pursuance of His Majesty's Commands).

Then a Commission for proroguing the Parliament was read.

After which the Lord Chancellor said:

My Lords and Gentlemen,

By virtue of His Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in His Majesty's Name, and in obedience to His Commands, prorogue this Parliament to Tuesday the Sixteenth day of February, one thousand nine hundred and nine, to be then here holden; and this Parliament is accordingly prorogued to Tuesday, the Sixteenth day of February one thousand nine hundred and nine.

End of the Third Session of the twenty-eighth Parliament of the United Kingdom and Ireland in the Eighth Year of the Reign of His Majesty King Edward VII.

[APPENDICES.

APPENDIX.

PUBLIC BILLS

DEALT WITH IN VOLUME CXCVIII.

Those marked thus * are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

(A.) House of Lords.

Title of Bill.	Brought in by	Progress.
Abbots Bromley Charity	*Lord Denman*	Read 1ª 10th December (673) Read 2ª 14th December (1204) Committee } 15th Dec. (1541) Report } Read 3ª and passed 16th December (1827) Royal Assent 21st Dec. (2346)
*Agricultural Holdings (Scotland) [H.L.]	*Earl Carrington*	Read 2ª 10th December (676) Committee 14th Dec. (1196) Report 17th December (2040) Read 3ª and passed 18th December (2180) Royal Assent 21st Dec. (2346)
*Appellate Jurisdiction	*Lord Chancellor*	Commons' Amendments Considered 18th Dec. (2194) Royal Assent 21st Dec. (2346)
*Assizes and Quarter Sessions	*Lord Chancellor*	Royal Assent 21st Dec. (2346)
Buxton Charity	*Lord Denman*	Read 1ª 10th Dec. (673) Read 2ª 14th Dec. (1204) Committee } 15th Dec. (1541) Report } Read 3ª and passed 16th December (1827) Royal Assent 21st Dec. (2346)
*Children	*Earl Beauchamp*	Commons Amendment 17th December (2041) Royal Assent 21st Dec. (2346)

Title of Bill.	Brought in by	Progress.
*Coal Mine (Eight Hours)	*Earl of Crewe*	Read 2º 15th Dec. (1418) Committee 17th Dec. (2006) Report } 18 Dec. Read 3º and passed } (2199) Commons Amendments 19th December (2301) Royal Assent 21st Dec. (2346)
*Commons	*Earl Carrington*	Royal Assent 21st Dec. (2346)
*Companies (Consolidation)	*Lord Chancellor*	Commons Amendment 18th December (2180) Royal Assent 21st Dec. (2346)
*Constabulary (Ireland)	*Lord Denman*	Read 1ª 17th Dec. (2049) All Stages 18th Dec. (2206) Royal Assent 21st Dec. (2346)
*Criminal Appeal Amendment		Royal Assent 21st Dec. (2346)
*Crofters Commons Grazings Regulations	*Lord Herschell*	Read 2ª 16th Dec. (1828) Committee } 17th Dec. Report } (2046) Read 3ª and passed 18th December (2198) Royal Assent 21st Dec. (2346)
*East India Loans	*Lord Morley*	Read 1ª 14 Dec. (1208) All Remaining Stages 18th December (2182) Royal Assent 21st Dec. (2346)
*Education (Scotland)	*Lord Herschell*	Read 2ª 7th Dec. (5) Committee 9th Dec. (410) Report 14th Dec. (1188) Read 3ª 15th Dec. (1540) Royal Assent 21st Dec. (2346)
*Housing of the Working Classes (Ireland)	*Lord Denman*	Commons Amendments 16th December (1817) Royal Assent 21st Dec. (2346)
Incest	*Bishop of St. Albans*	Report } 9th Dec. Read 3ª and passed } (397) Royal Assent 21st Dec. (2346)
Law of Distress Amendment	*Lord Courtney of Penwith*	Read 3ª and passed 7th December (37) Commons Amendments Considered 18th Dec. (2195) Royal Assent 21st Dec. (2346)
Local Authorities (Admission of the Press)	*Earl of Donoughmore*	Read 3ª and passed 9th Jan. (400) Commons Amendments Considered 17th Dec. (2047) Royal Assent 21st Dec. (2346)

Title of Bill.	Brought in by	Progress.
*Local Government (Scotland)	*Lord Herschell*	Read 1^a 11th Dec. (933) Read 2^a 14th Dec. (1207) Committee 16th Dec. (1826) Report 17th Dec. (2046) Read 3^a and passed 18th Dec. (2198) Royal Assent 21st Dec. (2346)
*Local Registration of Title (Ireland) Amendment	*Lord Atkinson*	Committee 10th Dec. (675) Report Read 3^a and passed } 15th Dec. (1540) Royal Assent 21st Dec. (2346)
*Long Ashton Charity	*Lord Denman*	Read 1^a 10th Dec. (673) Read 2^a 14th Dec. (1204) Committee Report } 15th Dec. (1541) Read 3^a and passed 16th Dec. (1827) Royal Assent 21st Dec. (2346)
*Lunacy	*Lord Chancellor*	Royal Assent 21st Dec. (2346)
*Poisons and Pharmacy	*Earl of Crewe*	Commons Amendments considered 18th Dec. (2190)
*Port of London	*Lord Hamilton of Dalzell*	Read 1^a 10th Dec. (673) Read 2^a 14th Dec. (1108) Committee 16th Dec. (1764) Report Read 3^a and passed } 17th Dec. (2000) Commons Amendments considered 18th Dec. (2212) Royal Assent 21st Dec. (2346)
Post Office Consolidation	*Lord Chancellor*	Royal Assent 21st Dec. (2346)
Post Office Savings Bank (Public Trustee) (No. 2)	*Lord Chancellor*	Read 1^a 16th Dec. (1763) Read 2^a 17th Dec. (2040) Committee Report Read 3^a and passed } 18th Dec. (2180) Royal Assent 21st Dec. (2346)
*Prevention of Crime	*Earl Beauchamp*	Read 1^a 8th Dec. (214) Read 2^a 10th Dec. (681) Committee 15th Dec. (1530) Report Read 3^a and passed } 16th Dec. (1827) Royal Assent 21st Dec. (2346)
Public Meeting	*Earl of Donoughmore*	Read 1^a 17th Dec. (2049) Read 2^a Committee Report } 18th Dec. (2206) Read 3^a and passed 19th Dec. (2299) Royal Assent 21st Dec. (2346)

(A). HOUSE OF LORDS—*continued.*

Title of Bill.	Brought in by	Progress.
*Statute Law Revision	*Lord Chancellor*	Committee 7th Dec. (37) Report 8th Dec. (214) Read 3^a and passed 9th Dec. (442) Royal Assent 21st Dec. (2346)
*Summary Jurisdiction (Scotland)	*Lord Herschell*	Read 1^a 11th Dec. (933) Read 2^a 14th Dec. (1206) Committee 16th Dec. (1824) Report 17th Dec. (2046) Read 3^a and passed 18th Dec. (2198) Royal Assent 21st Dec. (2346)
Tuberculosis Prevention (Ireland)	*Lord Denman*	Read 1^a 17th Dec. (2051) All Remaining Stages 18th Dec. (2182) Royal Assent 21st Dec. (2346)
*White Phosphorus Matches Prohibition	*Earl Beauchamp*	Read 1^a 7th Dec. (5) Read 2^a 8th Dec. (205) Committee } 14th Dec. (1107) Report } Read 3^a and passed 15th Dec. (1540) Royal Assent 21st Dec. (2346)

(B) HOUSE OF COMMONS.

Title of Bill.	Brought in by	Progress.
Abbots Bromley Charity	*Mr. Trevelyan*	Read 2^o 7th December (204) Committee } Report } 9th Dec. (672) Read 3^o and passed }
*Agricultural Holdings (Scotland)	*Sir E. Strachey*	Read 2^o and all remaining stages } 19th Dec. (2325)
*Appellate Jurisdiction [H.L.]	*Sir W. Robson*	Committee 16th Dec. (1944) Report } 17th December (2164) Read }
*Bail	*Mr. Gladstone*	Bill withdrawn 9th Dec. (670)
Building Operations and Engineering Work	*Mr. Gladstone*	Bill withdrawn 9th Dec. (670)
*Buxton Charity		Read 2^o 7th December (203) Committee } Report } 9th Dec. (671) Read 3^o and passed }
*Children	*Mr. Herbert Samuel*	Lords Amendment 15th Dec. (1596)

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*Coal Mines (Eight Hours) (No. 2)	*Mr. Gladstone*	Report 9th December (517) Report 10th December (779) Report 11th December (942) Read 3° and passed 14th December (1288) Lords Amendments Considered 18th December (2269)
*Commons [H.L.]	*Sir E. Strachey*	Read 2° 16th December (1972) All Remaining Stages 17th December (2164)
*Companies Consolidated [H.L.]	*Sir H. Kearley*	Committee 15th Dec. (1726) Report Read 3° and passed } 16th Dec. (1950)
*Constabulary (Ireland)	*Mr. Birrell*	Read 2° 15th December (1737) Committee Report } 16th Dec. (1944) Read 3° and passed 17th. Dec.
*Contempt of Court	*Mr. Cherry*	Bill withdrawn 9th Dec. (669)
County Courts		Bill withdrawn 9th Dec. (670)
*Criminal Appeal (Amendment) [H.L.]	*Sir W. Robson*	Report Read 3° and passed } 15th Dec. (1737)
*Crofters' Commons Grazings Regulations	*Mr. Sinclair*	Read 2° 10th December (931) Committee Report Read 3° and passed } 14th Dec. (1413)
Diseases of Animals	*G. Greenwood*	Read 1° 8th December (258)
Education (Administrative Provisions)	*Mr. J. R. Macdonald*	Read 1° 8th December (258)
*Elementary Education (England and Wales)	*Mr. McKenna*	Bill withdrawn 7th Dec. (204)
*Elementary Education (England and Wales) [No. 2]	*Mr. Runciman*	Bill withdrawn 7th Dec. (99)
*East India Loans	*Mr. Buchanan*	Read 2° 7th December (171) Committee Report } 10th Dec. (907) Read 3° and passed 11th Dec. (1100)
*Election of Alderman in Municipal Boroughs	*Mr. Burns*	Bill withdrawn 9th Dec. (670)
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*Housing, Town Planning, etc.	*Mr. Burns*	Bill withdrawn 7th Dec. (662)
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Law of Distress Amendment	*Mr. Arnold Herbert*	Lords Amendments Considered 17th Dec. (2164) Lords Amendments Considered 18th Dec. (2294)
*Licensing (Consolidation)	*Mr. Gladstone*	Bill withdrawn 9th Dec. (670)
Local Authorities (Admission of the Press)	*Mr. A. Henderson*	Lords Amendments Considered 15th Dec. (1758)
*Local Government (Ireland)	*Mr. Birrell*	Bill withdrawn 9th Dec. (670)
*Local Government (Scotland)	*Mr. Sinclair*	Report Read 3° and passed 10th Dec. (925)
*London Paving Expenses	*Mr. Burns*	Bill Withdrawn 9th Dec. (670)
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*Lunacy [H.L.]	*Sir W. Robson*	Read 2° 14th Dec. (1416) Committee Report Read 3° and passed 16th Dec. (1950)
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*Port of London	*Mr. Lloyd-George*	Report Read 3° and passed 9th Dec. (608) Lords Amendments Considered 18th Dec. (2251)
*Post Office Consolidation	*Mr S. Buxton*	Read 2° 15th Dec. (1722) Committee Report Read 3° and passed 16th Dec. (1950)
*Post Office Savings Bank (Public Trustee)	*Mr. S. Buxton*	Bill Withdrawn 9th Dec. (672)

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[AUTHORISED EDITION].

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Chief Secretary—Rt. Hon. A. Birrell.

Lord-Lieutenant—Earl of Aberdeen.

Attorney-General—Rt. Hon. R. R. Cherry.

Solicitor-General—Mr. R. Barry.

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Secretary of State for India

Rt. Hon. Viscount Morley.

Secretary of State for Scotland

Rt. Hon. J. Sinclair.

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